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FRANCIS PLOWDEN ESQ^R

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AN
HISTORICAL REVIEW
OF THE
STATE OF IRELAND,
FROM THE
INVASION OF THAT COUNTRY UNDER HENRY II.
TO ITS
UNION WITH GREAT BRITAIN

On the 1st of January, 1801.

IN TWO VOLUMES.

By FRANCIS PLOWDEN, Esq.

VOL. I.

Pauci prudentiâ, honesta ab deterioribus, utilia ab noxiis discernunt: plures aliorum eventis docentur.

TAC. 4. Ann. 33.

Few are qualified by their own reflection to mark the boundaries between vice and virtue. To separate the useful from that which leads to destruction is not the talent of every man. The example of others is the school of wisdom.

MURPHY'S Trans. Vol. i. p. 273.

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TO

HIS ROYAL HIGHNESS

THE

PRINCE OF WALES.

SIR,

IN attempting to unfold the incalculable advantages, that are to be derived to the British empire from the union of Great Britain with Ireland, it is natural to fly to the protection of the illustrious personage, who as Heir Apparent to the uniting parties is most deeply interested in the Union being followed up with the desired effect. For realizing the flattering prospects of additional strength, power, and prosperity, which it holds out to the empire at large, Ireland, Sir, looks up with unbounded confidence to the exertions of a Prince, whose amiable qualities have long been the idol of her warmest affections, in whose eminent talents she finds an earnest of new glories to the united kingdom, and whose knowledge and love of the constitution ensure the happiness of a grateful and united people.

The work is intended as an act of justice to the Irish nation. It would have been useless, had Great Britain learned from the illustrious example of your Royal Highness to appreciate that people with the discriminating judgment and sympathy, which have so deservedly endeared them to you. We are now one people, and that we may ever be one in affection as well as interest was the motive for undertaking this work, which, with your gracious permission, is most humbly inscribed to your Royal Highness by

THE AUTHOR.

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ERRATA to VOL. I.

- Page 19, line 4, note, for *exploded* read *explored*.
102, note, for *Ofm.* read *Orm*.
199, note, for *Somers* read *Somerville*.
223, line 10, for *for* read *of*.
265, line 1, note, for *from* read *against*.
358, line 15, for *exceed* read *exceeded*.
393, line 21, for *indispensable* read *indisputable*.
439, line 3, dele the word *of*.
479, line 7, for *constrained* read *construed*.
541, line 10, for *puint* read *point*.
545, line 2, for *redressed* read *reduced*.

In Appendix, p. 325, *The Address of Francis Dobbs, Esq. to the Belfast Volunteers* is inserted by mistake, instead of his *Letter to Lord North*, which will be found in p. 365.

A N

HISTORICAL REVIEW,

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PRELIMINARY CHAPTER.

OF THE STATE OF IRELAND BEFORE IT WAS INVADED BY THE ENGLISH.

IN order to prepare the mind for an impartial and satisfactory judgment upon the Union of Great Britain and Ireland, it will be proper to premise some general observations upon the nature and resources of Ireland, and the spirit and character of its native inhabitants, independently of any connection with Great Britain. We shall thereby be enabled to judge impartially of the relative effects of that connection, which, through a long and intricate maze of national vicissitudes, has ultimately led to an incorporate union of the two kingdoms. I affect not to write a regular history of Ireland *, but shall endeavour to draw the attention of my reader to such prominent events, as have, in their time, order, and proportion, remotely and proximately

* Whoever has given even a transient thought to the history of Ireland, must be sensible that the most striking features of it have been generally delineated in the strongest tints of party prejudice. This made Dr. Leland say: "But the circumstances of Ireland were a still more dispiriting

proximately led to the incorporate union of Great Britain with Ireland, which is the primary object of this publication.

Although the nature of man be homogeneous, yet different portions of the human race differ from each other by properties, qualities, and habits, so strongly distinctive, as nearly to approximate to a difference of species. Many are the gradations and shades of these distinctions. True it is, that different political systems produce powerful effects upon mankind: they go great lengths, but not the whole way towards changing the innate genius, spirit, and character, of nations. To a close and impartial observer, the original national character will manifest itself, up to the remotest antiquity, under the strongest influence of improvement or debasement. Without entering into a philosophical disquisition of the immediate causes of a variety in national characters, we may be allowed to attribute much to the air and soil of particular countries, although, at distant periods of time, many may be the instances of changes, suspensions, and apparent extinctions, of the most marked characters in the same nations. Faintly, if at all, can we trace a single line of the old Grecian, Punic, or Roman character, through modern Turkey, on the coasts of Barbary, or in the territorial possessions of

“ obstacle to the historian of this country. Prejudices and animosities could not end with its dis-
 “ orders. The relations of every transaction in times of contest and turbulence, were for many
 “ years dictated by pride, by resentment, by the virulence of faction, by the obliquity of particular
 “ interests and competitions. It was scarcely possible for a writer not to share in the passions and
 “ prejudices of those around him; or, however candid, dispassionate, and accurate, still he must
 “ have done dangerous violence to their opinions and prepossessions. Time and reflection, and an
 “ encreasing liberality of sentiment, may have sheathed the acrimony of contending parties; and
 “ those at a distance may look on their contentions with indifference. Yet, even at this day, the
 “ historian of Irish affairs must be armed against censure, only by an integrity which confines him
 “ to truth, and a literary courage, which despises every charge but that of wilful or careless mis-
 “ representation. In several instances, the author may have stated facts in a manner different
 “ from those writers usually accepted as authentic. Had he, in such cases, proceeded to a parti-
 “ cular examination of the opinions and assertions of other men; had he entered into a justification
 “ of his accounts, or specified the reasons which determined him to reject, or admit, every par-
 “ ticular authority, his work must have swelled to an enormous size. He was, therefore, obliged
 “ to content himself with a diligent and attentive inspection of different evidence, with a careful
 “ use of his private judgment; with exhibiting the authorities he chose to follow, without gene-
 “ rally engaging in critical or controversial discussions. They who are the best acquainted with
 “ the materials of which this history, and particularly the latter periods, have been formed, will
 “ possibly be the readiest to acknowledge the necessity of this method.” To these sentiments I un-
 equivocally subscribe.

the

the Bishop of Rome. But who shall assert, that a melioration of the political systems of government in those countries, would not vivify the smothered embers, and rouse into a flame that very spirit, which once was the dread of the day, and has since been the astonishment of posterity. Yet Ireland undoubtedly stands prominently conspicuous amongst the nations of the universe a solitary instance, in which neither the destructive hand of time, nor the devastating arm of oppression, nor the widest variety of changes in the political system of government, could alter or subdue, much less wholly extinguish, the national genius, spirit, and character of its inhabitants.

It would be useless to attempt any thing like a geographical survey or description of the island. Sir John Davies, who was attorney-general in Ireland, in the beginning of the reign of James the First, applied his observations in a particular manner to its local, as well as its then political situation. His report, from ocular testimony, compresses, in few words, the immense advantages and resources of this island in itself, and consequently its importance to the British empire at large*. "During the time," says he, "of my *service in Ireland* (which began in the first year of his Majesty's reign), "I have visited all the provinces of that kingdom, in sundry journies and circuits. Wherein I have observed the good *temperature of the ayre*; "the *fruitfulness* of the *soyle*; the pleasant and commodious *seats for habitation*; the safe and large *ports and havens*, lying open for *trafficke* into "all west parts of the world; the long inlets of many navigable rivers; and "so many great lakes and fresh ponds within the lands, as the like are not "to be seene in any part of Europe; the rich *fishings*, and wilde fowle of "all kinds; and, lastly, the *bodies and minds* of the people, endued with "extraordinary abilities of nature†."

Dr.

* A Discoverie of the true Causes why Ireland was never entirely subdued, &c. by Sir John Davies, Part 1.

† It is well known that Camden, though entitled generally to high historical credit, yet laboured under strong prejudices against the Irish: such, indeed, was the prevailing fashion or spirit of all the English writers of his days. His testimony, therefore, in favour of the Irish, is of double force. It was said of him, by an Irish author, not impertinently,

Perlustras Anglos oculis Cambdene duobus,
Uno oculo Scotos, cæcus Hybernigenas.

Thus then Camden speaks of the Irish (*Brit. p. 680.*) "*Bellicosi sunt, ingeniosi, corporum lineamentis conspicui, mirifica carnis mollitie, et propter musculorum teneritudinem agilitate incredibili.*"

Dr. Leland, whose History of Ireland claims classical pre-eminence amongst the modern productions upon this subject, has favoured us with the following characteristic of the people of Ireland *. “A robust frame of body, a
“vehemence

bili.” And (p. 789), “*In universum gens hæc corpore valida et imprimis agilis, animo forti et elato, ingenio acri, bellicosa, vitæ prodiga, laboris frigoris et inediæ patiens, veneri indulgens, hospitibus perbenigna, amore constans, inimicitiis implacabilis, credulitate levis, gloriæ avida, contumeliæ et injuriæ impatiens, et ut inquit ille olim, in omnes actus vehementissima.*”

The singular phenomenon of reptiles, which are elsewhere venomous, being deprived of their poison and sting in Ireland, is too curious, and too generally spoken of as fabulous, not to be noticed. The native Irish have ever attributed this singularity to the prayers of St. Patrick, in whose days, they affirm, the island to have been over-run with these noxious creatures. The fact has been recognised by men of the highest authority. Venerable Bede, in the beginning of the eighth century, said, *Nullus ibi serpens vivere valeat*. Lib. i. c. 1. And Camden, in his *Brit.* 727, also says, *Nullus hic anguis, nec venenatum quicquam*.

* The attempt to write the history of the union of Great Britain and Ireland, in a manner unexceptionable to all parties, though perhaps unattainable in fact, is not of so desperate a nature as to be abandoned in the first instance. I readily admit, that whatever may be hazarded in this work as matter of opinion, is fully open to controversy; and that general presumptions will reasonably bear hard against a person, who can prove but little by the testimony of his senses, either of the nature of the country, or the disposition of its inhabitants. Upon these two points, therefore, I have adopted the opinions of Sir John Davies and Dr. Leland as unexceptionable; inasmuch as they both lived many years in the country, and applied their minds to those objects with peculiar attention. I have, therefore, submitted my own opinions, whatever they might have been, in these two points to those of others, in every way more competent, from personal experience, to judge rightly of them than myself. But as to all public documents and proofs of historical facts, every man that undertakes the functions of an historian must be supposed competent to judge; and by that competency will he form his judgment. *Et cum oportet esse gnaviter impudentem*, who, in defiance of such public documents, shall wilfully attempt to misrepresent the truth. I have, moreover, personal reasons for adopting the opinions of others, on these two points, in preference to my own. About ten years ago, before I had ever been in Ireland, I published a pamphlet, on the occasion of the passing of an act of parliament in Great Britain in favour of the English Catholics: it was also at the time when Mr. Paine, and his profelytes, were industriously propagating the doctrines on the abstract *Rights of Man*. In that work, I said: “The lower class of the Irish, I understand, to be a race robust and hardy, and of a very irritable disposition and nature: they are now indolent in extreme poverty, from being debarred the common resources of industry; and are averse from all laws, from having felt the constant pressure of such only as are galling and severe.” And I concluded, that the zealots for sedition and anarchy found them ready materials to work upon.—Sir Richard Musgrave, in the additional Appendix to his *Memoirs of the Rebellions in Ireland*, has chosen to construe these words into a strong incitement to disloyalty and insurrection; and he adds, in a note, that *if this gentleman*

" vehemence of passion, an elevated imagination, were the characteristics
 " of the people. Noble instances of valour, generous effusions of bene-
 " volence, ardent resentments, desperate and vindictive outrages, abound in
 " their annals. To verse and music they are peculiarly addicted. They who
 " are possessed of any superior degree of knowledge, they who operate on
 " their fancies or passions by the liveliest strains of poetry, are held in
 " extraordinary veneration. The ministers of their religion are accounted
 " more than human. To all these they submit their contests; they consult
 " them as oracles of law and policy. But reflection, and the gradual pro-
 " gress of refinement, convince them of the necessity of settled laws. The
 " principles of equity and independence implanted in the human breast,
 " receive them with delight; but the violence of passion still proves superior
 " to their restraint. Private injuries are revenged by force; and insolent
 " ambitious chieftains still recur to arms."

tleman had lived among the Irish, he would have known that they were active citizens, both by night and by day. Since the publication of that pamphlet, I have thrice visited Ireland: the legislature, since that period, has thought proper to repeal most, if not all, of those very laws, which I then termed galling and severe. The acts of the legislature have justified my application of those epithets to the laws, which they found necessary to repeal. The civic activity, by night and day, upon which the historical baronet has indulged his jocularities, is rather too awful a subject to reply to in the same strain. I scarcely know a more sure preventative against a relapse into this disorder of activity, than to encourage the sober industry of the active citizens.—It long has been my cordial wish to promote the welfare of Ireland, which is, if I may be allowed the phrase, the right hand of the British empire: and it has ever pained me to observe its natural powers cramped, checked, and paralyzed.—In reprobating the spirit with which this work of Sir Richard Musgrave, and some other publications of a similar tendency, are written, it would be injustice to the public not to lay before them the sentiments which the Marquis Cornwallis expressed in an official letter to that Baronet, after the publication of his work, viz.

" SIR,

Dublin Castle, March 24, 1801.

" I am directed, by the Lord-Lieutenant, to express to you his concern, at its appearing that
 " your late publication of the History of the late Rebellions in Ireland, has been dedicated to
 " him by permission. Had his Excellency been apprised of the contents and nature of the work,
 " he would never have lent the sanction of his name to a book, which tends so strongly to revive
 " the dreadful animosities which have so long distracted this country, and which it is the duty of
 " every good subject to endeavour to compose. His Excellency, therefore, desires me to request,
 " that in any future edition of the book, the permission to dedicate it to him may be omitted.

" I have, &c.

" Sir Richard Musgrave, Bart.

" E. B. LITTLEHALES."

If

If this be a faithful portrait of the characteristic features of the Irish nation, and I admit the outline and colouring to be just, the references I shall make to the earlier parts of the Irish annals, will serve to trace and account for the origin, nature, and continuance of that national character, out of which arise some of the strongest reasons for uniting that kingdom with our own.

The pride of ancestry has a peculiar effect upon the Irish. No nation, in fact, now upon the face of the globe, can boast of such certain and remote antiquity; none can trace instances of such early civilisation; none possesses such irrefragable proofs of their origin, lineage, and duration of government. It has been a pitiful prejudice in too many English writers, to endeavour to throw discredit upon the early part of the Irish history. That many fabulous accounts are to be found in the Irish annals, is true; but no less true is it, that the English historians superabound with gross, and wilful misrepresentations of the Irish annals*. The possession of a vernacular language at this day, which was in general use above three thousand years ago, is a defiance to historical fiction and falsity, that Ireland alone, amidst all the nations of the universe, can proudly boast. The ancestors of the Irish were undoubt-

* The ill-judged policy of misrepresenting the Irish history, for partial or corrupt purposes, began almost as early as our connections with that country; and, it is to be lamented, that it has been kept up almost uniformly to the present day. Gerald Barry, commonly called Giraldus Cambrensis, was sent over by Henry II. for the avowed purpose of publishing whatever he could collect, that was disadvantageous to the Irish. Williamson, the bishop of Derry, says: "Wonderful, indeed, are many of the tales which he picked up, of the natural, moral, and political state of this nation." (Ir. Hist. lib. 2.) Sir James Ware, who published his Antiquities of Ireland under Queen Ann, "admires that some men of his age, otherwise grave and learned, should obtrude those fictions of Giraldus upon the world for truths." The Bishop of Derry, who published his Irish historical Library in 1724, assures us, p. 3, that "a very learned person, Mr. Josiah Lynch, titular Archbishop of Tuam, to whom Mr. Flaherty prefaces his Ogygia, wrote a particular detection of this man's mistakes and slanders, which he called *Cambrensis Everfus*, and published under the name of *Gratianus Lucius*. This writer accuses Cambrensis of maliciously destroying a great many of the old Irish annals, whereof he had the perusal: and it is thence justly observed by Bishop Stillingfleet, that (if so) he had better advantages and more authorities than *Keating*." Candor however must admit, that if *Cambrensis* be fairly charged with wilful misrepresentation of facts, suppression of truth, and publication of falsehood, the motive for destroying those annals, which he had so perverted and abused, cannot be doubtful. No impartial writer has ever attempted to justify the groundless and incredible fables of *Cambrensis*. Mr. Pinckerton as lately as 1789 has remarked, that *he shews the greatest ignorance in his account of Irish History*. (Pinck. Scot. London, 1789.)

edly Scythians*, or, as they were afterwards called, Phœnicians. The general belief that the Greeks, the Romans, the Carthaginians, and even the Egyptians, received the use of letters from the Phœnicians, reconciles the mind to the very early civilisation of this colony, which they settled in the west. For it now seems no longer doubtful, that a Scythian or Phœnician colony settled in Ireland†. All ancient historians agree, that hordes of Scythians emigrated

* Hence were they anciently called *Scoti*, by an easy transition from Σκυθῶν, Scythians: which appellation in process of time, remained only appropriate to North Britain, which was inhabited by a colony from Ireland. Venerable Bede generally calls the Irish *Scots*. James I, upon his accession to the throne of England, boasted to the Parliament that he derived his pedigree from the Irish Dynasty.

† Besides the common use of the Phœnician language by the native Irish to this day, there are many proofs of their descent from the Scythians or Phœnicians, that put the question out of all doubt. That the Carthaginians were a Phœnician colony has never been questioned, and like other colonies they carried their language with them. Plautus, who wrote his plays in the second Punic war, introduces into his *Pœnulus* the character of *Hanno* a Carthaginian, into whose mouth he puts several Carthaginian (or Phœnician) sentences, which had ever before baffled the erudition of the learned to decypher; until these speeches have been lately attentively considered, and became perfectly intelligible to the Irish scholar. The ingenious and learned Lieutenant Colonel Vallancey, whose unexampled proficiency in the Irish language has rendered his researches into the antiquities of that country most useful to the public, has given an accurate collation of these Punic speeches with the Irish, as now spoken; and they will be found to differ little more, than the different provincial dialects of the French, and even of our own tongue; and infinitely less after a lapse of 3000 years, than modern English differs from what was in use four centuries ago. Vid. *Collect. de Reb. Hib.* They are also to be found in Sir L. Parsons's Defence of the Ancient History of Ireland. It was to be expected that the ignorance of the editors and printers of Plautus, should often misplace the syllables and run one word into another, in a language which was not understood. Colonel Vallancey has corrected this dislocation of the words and syllables, and thus rendered the whole legible to the Irish, without altering a letter. The curious reader may wish to see a specimen of this wonderful similarity, or rather identity of the Phœnician and Irish languages.

Carthaginian, as in Plautus.

Bythlym mothym noctothij nelechthanti diafmachon.

Proper intervals arranged by Colonel Vallancey.

Byth lim! mo thym nocto thii nel ech anti dias machon.

Irish.

Beith liom! mo thyme noctaithe niel ach anti daise maccoinne.

Be with me! my fears being disclosed, I have no other intention but recovering my daughter.

Carthaginian and Irish, without the change of a word or letter.

Handone filli hanum bene, filli in mustine.

Whenever

emigrated to Egypt, and from thence to Spain : why then refuse credit to the Irish annalists, who are unanimous in asserting that a colony of these Scythians from Spain settled in Ireland. The Irish have always prided themselves upon having kept up a longer succession of monarchs, than any other kingdom of the world. This race of kings the Irish call *Milesian*, all of them having descended from *Heber*, *Eremon*, and *Ith*, the three sons of *Milesius*, who headed the expedition from Spain. In the year of our Lord, 1170, one of the Princes of Ulster boasted to Pope Alexander III. of an uninterrupted succession of 197 Kings of Ireland, down to his time.* It appears, indeed, at all times to have been a national passion of the Irish, to boast of the monuments of their ancient glory.

The government introduced by the first settlers, was of a peculiar cast. They divided the country into four provinces, viz. *Ulster*, *Leinster*, *Munster*, and *Conaught*, each of which had its king; and at the head of these four provincial kings was placed a supreme monarch. The whole formed a Pentarchy. To the supreme they all paid tribute, as a mark of subjection, though they were, in all other respects, absolute and independent within their respective provinces or provincial kingdoms. The monarch had always had some

Whenever she (Venus) grants a favor, she grants it linked with misfortunes.

Carthaginian.

Meipfi & en eiste dum & a lam na cestin um.

Irish.

Meífi & an eiste dam & alaim na cestin um.

Hear me, and judge, and do not too hastily question me.

The warlike instruments which have been found in Ireland under the earth, exactly resemble the weapons discovered about Cannae, some of which are in the British Museum: the brazen swords and spears are of the same form and substance, being a composition of brass and tin. I think it useless to adduce any proofs of the similarity of habits, customs or usages, between the colony and the mother country, from the historians of each. Suffice it to say, that to this day the Irish peasants are in the annual habit of lighting upon certain hills, on the eve of Midsummer, what they still call *Bal's fire*, though fully as ignorant, that *Bel* was the god of their Phœnician ancestors, as others are, that Jupiter, Mars, Mercury, and Venus were heathen deities, in whose honor the days of the week have received their appellation.

* The moderate allowance of 10 years to the reign of each of these Kings, will fill the space of 1970 years, 200 years being a moderate allowance for those reigns which exceeded that duration. This nearly corresponds with the time (viz. about 1000 years before the birth of Christ), at which most of the Irish annalists date the arrival of the Phœnician colony from Spain under Milesius.

demesne

demesne lands annexed to his royalty; but their great and favourite *Tuathal* separated the district of *Meath* from the other provinces, and appointed it for the appanage of the monarch. This formed one part of his revenue; another part of it arose out of the provincial contributions of corn, hay, and cattle: and when any state emergency required more than the ordinary subsidies, the revenue was aided to the extent of the exigency by occasional taxes, which were voted and imposed, not by the monarch, but by the general assembly of the nation.

It has been frequently and justly remarked, that more family pride is retained by the Irish, even in extreme indigence, than by any other nation; and it is generally attended with a conviction of some right to large possessions, and seldom exists without some hereditary tincture of contempt for those, whose lineage they think less ancient and noble than their own; although, at the same time, no nation attach more consequence to property. This is a relict and natural consequence of the ancient constitutions, under which more dignity and consequence were annexed to particular families than in other nations, not as with us by primogeniture; but the honours and dignities of the families were considered by the different septs, clans, or lineages as disposable to the most worthy. This principle prevailed from the family of *Milesius* down to every other throughout the island. Not only the throne, but all the posts of honour and profit under the state were in fact elective; not indeed out of the nation at large, but out of particular septs or families: consequently purity of blood became a national object, and carried with it more real consequence, than it did in any other nation of Europe. Thus although the monarchy were by the constitution elective, and in fact seldom went in an immediate lineal descent; yet from the landing of the Phœnicians to the mission of St. Patrick, including the space of about 1500 years, and from that to the invasion of Ireland under Henry II. being about 640 years, no one filled the monarchy that was not a descendant of one of the three sons of *Milesius*. In the choice of their monarch seniority and proximity of blood had great weight, but not the preponderance. Military talents outweighed civil accomplishments; the previous reception of the order of knighthood was an indispensable qualification to be elected; and any species of personal imperfection, or even casual deformity, created absolute ineligibility.*

In

* The Irish annalists relate that Cormac, in the third century, soliciting votes to be elected to the succession of Mac Con, Fergus king of Ulster, who wished to defeat his election, so contrived
c during

In viewing the long duration of the infelicity of Ireland since it has been dependent upon or connected with this country, it is impossible not to lay the largest share of its calamity to the account of that monstrous anomaly in politics *imperium in imperio*. The only radical cure has now been applied. The restitution of Ireland to soundness and even vigour of constitution now rests with Great Britain, which, since the union, is compelled, from policy and interest, to ensure the most beneficial effects to this national incorporation. Discovery facilitates the removal or weakens the power of every retardment or difficulty in the attainment of the end of this great object. By concentrating the prospective views of the distinct parts of the British empire into one general focus, many particular and local prejudices and prepossessions will vanish and die away, which have hitherto only existed by the circumstances of separation and independence. The numerous claims of royal lineage, which are seldom disannexed from wild convictions of rights to princely domain, and that especially in a sensitive and impoverished people, will ultimately vanish, when we look up to this change in the government of Ireland for the correction of the evil; an evil which originated in the earliest constitutions of their government.

The grand Milesian Monarchy was a model of the four great provincial and numerous other smaller kingdoms into which the island was subdivided. Besides the universal monarch of the island and the four kings of the provinces, there were kings of Offaly, Limerick, Cork, &c. So that every provincial sovereign had under him as many kings as there were septs or families of distinction within the province: and although we can form no other idea at present of these numerous roitelets or petty sovereigns, than mere lords of manors or tenants in *capite*, yet the effects of the national prejudices,* unfortunately

during the revelry, that Cormoc should set fire to his beard, by which he lost his election. It is to be noted, that in order to prevent the mischiefs of anarchy during elections, by the ancient constitution of Ireland, the successor was elected during the life of the reigning monarch.

* We can discover no period of the Irish history, at which the family pride of the Irish was not attended with mischievous effects. The very wide scope of the Irish annals throws almost an appearance of romance upon the bare references to dates. Until the reign of the great *Tuathal*, of the race of Heremon, (A. D. 125.) few or none of the posterity of the Milesians ever submitted to trade or any manual labour, lest they should degrade their original, or bring a stain upon their family. For this very purpose they kept in the country a number of the Belgians and Dannonians (the former of which passed under the name of *Firl-bolgs*) in order to carry on these servile and mechanical occupations. But in the reign of *Tuathal*, tradesmen and mechanics, as well as artists of all

unfortunately transmitted down by tradition, are as operative as if every such ancestor had been as powerful as Charlemagne. Disorders in states have elsewhere been raised by the relatives of the deposed or deprived sovereigns: but whether the attempts succeeded or failed, the effect was partial, not national, and died away as the royal lineage decayed either in number or power. But as in Ireland every individual of a sept, who bore the name, assumed the blood, and partook in some degree of the consequence and dignity of their chief sovereign or king for the time being, the effect of debasement and deprivation embraced a wider range, and grew into a national evil of the greatest magnitude. The actual indigence of an individual that perhaps might have been greater under the ancient than the present order of things,* is contrasted against the ease and luxury of modern opulence; and the influence of poverty and pride upon an irritable and bold race is but too obvious. Whatever national predilections or prejudices can by any means be put down, when different nations become subject to a common sovereign, it is the undoubted policy of that sovereign to effect it without irritating the foreness which such changes are likely to create †. If the genuine origin of these national

all professions, were put under the management of a committee, who had power to examine into their abilities, to reform all abuses, and to suspend such as by their unfairness or want of skill brought their occupations into discredit. So that, according to Dr. Warner (Hist. of Ireland, 225.) this pride has been so inherent from that time to this, that Bishop Berkeley has said, a kitchen wench in his family refused to carry out cinders, because she was descended from an old Irish stock. But in the reign of this monarch, when they saw the legislature take trade and manufactures under their protection, and that no person was allowed to exercise the arts without a licence from the committee empowered by the general assembly of the states, many of the Milesians condescended to follow some employment.

* Formerly the lower class of the people, being in a state of villeinage, had no property. They belonged to the soil, which they cultivated, and were transferred with it, at the pleasure of their masters. At present there is no state so abject throughout the nation.

† It is most unaccountable, that to the religion which the majority of the Irish nation now professes, the effects of these national prejudices or prepossessions have been and still are attributed by English, and latterly even by some Irish writers. True it is, that the greatest part of the old Irish still profess the religion of their christian ancestors; and true also is it, that the Irish nation is peculiarly tenacious of its old and accustomed habits and modes of thinking. Dr. Leland has informed us, *that they account their ministers of religion as more than human*. By these they are told, and they believe, that the religion which they received from St. Patrick, is what had been regularly transmitted to him from the apostles of Christ. The mere circumstance of professing the catholic religion is as extensive and foreign from this national family pride or regal enthusiasm, as it is from

tional prejudices be to be traced, to paganism, not to christianity, we must resort.

The pretensions to the royal stock of sovereignty in Ireland were not the only grounds of this system of family pride and consequent presumption. Each king or sovereign had his order of chivalry, of which he was himself the chief: his high priest to superintend religion; his brehon or chief justice to expound the laws; his physicians, antiquarians, chief treasurer, marshal, standard-bearer, generals of horse and foot, &c. All these were hereditary honours in certain families, out of which the most distinguished and best qualified were elected to the particular appointments.

We have seen that in the agitation of some of the great national questions in Ireland during these last twelve years, the public mind has been worked up more without grounds than without malice into a dread of the principle of resumption, should the civil liberties of British subjects be imparted in common to the whole community of Ireland. True it is, that many of the illiterate Irish do entertain general confused convictions, that princely possessions should ever attend the royal blood that fills their veins. This general species of gregarian resumption, grafted upon the collective claims of septs or clans to certain districts, will upon close inspection and impartial investigation be found to refer only to the old tenures of *Tannistry and Gavelkind*, of which we shall speak hereafter, and by no means to the laws of England, which have for centuries regulated the descent of lands in Ireland: otherwise the resumption would be confined to the individuals, upon whom the law would in the supposed cases of resumption cast the inheritance, either by primogeniture or some other mode of descent. Now the only cry for resumption is ever supposed to arise from that cast of the natives, who have retained that national spirit with the delusive claims of royalty and domain, which could alone be realized by the reintegration of the old Brehon institutions.*

It

any other distinctive traits of national character, whether they depend on the endowments of the mind or body. Thus long ere our reformation of religion was thought of, one of the O'Neals being told that Barrett, of Castlemore, an Englishman, and equally a catholic with himself, had been there 400 years, he replied, that he hated the clown as if he had but come thither yesterday.

* The Earl of Castlehaven, who resided in Ireland during the whole of the rebellion in 1641, and for many years after its reduction, wrote Memoirs concerning the wars in Ireland, in order to rectify many errors, and contradict the numerous falsehoods of Dr. Borlase's publications on that and other subjects relating to Ireland, whose History of the Rebellion in particular Dr. Nelson, (*Intr. to*

It goes not to touch the titles of any landed property, that was at any time put under English tenures.

The Irish law of *Gavelkind* differed materially from the law, which we so denominate in Kent. When any one died, all the possessions, real and personal, of the whole family, were put together (or in hotch-pot), and divided anew amongst the survivors, by the head of the family, whom they termed the *Caunfinny*;* bastard sons were admitted into this distribution, though all females, both wives and daughters, and of course more remote female relatives, were excluded from it; the division extended to the whole sept or race, by which means, many vested freeholds came upon such new partitions to be divested during the lives of the tenants. This law or custom was productive of one of the most pernicious prejudices, that can pervade the useful part of a community: it prevented whole septs or families, howsoever numerous and needy, from learning any trade, or turning mechanics, because they would be thus degraded, and the *Caunfinny* would in any future partition exclude such as had debased themselves by such abdication of their family dignity. Union seems to afford the final corrective, if there still remain such senseless and pernicious prepossessions.

The national division into septs or tribes, though natural to infant communities, was attended in the progress of population with the worst of conse-

2 vol. of *Imp. Coll.* p. viii.) says, is rather a paradox than a history; and that his distorted plagiarism of Lord Clarendon's manuscript "rendered him suspected not to be overstocked with honesty and justice, so necessary to the reputation of an unblemished historian. He wrote for the avowed purpose of defending the harsh government of his father, Sir John Borlase and Sir William Parsons:" and Nelson, as well as the Bishop of Derry, (*Ir. Hist. lib.* 56.) admits, that he continued Sir John Temple's partial and unfaithful memoirs, and wrote reflections upon Lord Castlehaven's Memoirs, as being openly and avowedly a favourite of the faction and the men and actions of those times. The Bishop of Derry quotes from Lord Castlehaven's publication, made in 1684, a private opinion of that nobleman upon the effect of these prepossessions, viz. that in his judgment, the only true and great motive to this rebellion (as well as to all others since the reign of Henry II.) was the old national feud, built upon an inflexible persuasion that the sovereignty and property of all the lands in the kingdom, by their unrepealed Brehon law, rested still in the surviving heirs of the *meer Irish* or *Milesian* stock. The noble memorialist was inattentive to the judgment of the King's Bench in the reign of James I. and did not seem aware that by strict law (though unobserved) the whole kingdom was then subjected to the common law of England.

* Le Canfinny, ou chef de sept (que suit communement le plus auncient de sept) fesoit toutz les partitions per son dycretion. Dav. Rep. 49.

quences,

quences, and these were entailed upon the nation by the laws of **Tanistry* and *Gavelkind*: of the latter I have already spoken; and by the former, successors were chosen during the lives of their ancestors, not only to their monarch and other kings, but also to their great state and other officers, which were elective within a given line of hereditary descent. There existed also a custom peculiar to Ireland, of giving out their children to be nursed by fosterers.† It extended for some years beyond the necessity of keeping the child at the breast, and it consequently tended to strengthen the ties of affection and attachment which united the members of the different tribes or septs.‡ It created an extraordinary fraternizing spirit amongst the Irish, unknown to other nations; and hence, in a comparative view of the different dispositions of the English and Irish, it has been observed, that there is more warmth of affection in Ireland for a foster brother, than in England for a brother by consanguinity.

* Sir John Davis reports very fully the judgment of the court of King's Bench in Ireland, 5 Jac. (p. 28.) by which they declared the custom of holding by *Tanistry* to be void by reason of its uncertainty, and on other grounds there specified. This judgment was given upon a special verdict found in ejectment between *Murrough Mac Bryen*, plaintiff, v. *Cahir O Callaghan*, defendant. The custom or tenure of *Tanistry* was, that the lands so holden descended, *seniori & dignissimo viro sanguinis & cognominis* of the person who last died seized. The same reporter gives us the resolutions of the judges touching the Irish custom of *Gavelkind*, by which it was resolved and declared, *per tous les justices*, that the said Irish custom of *Gavelkind* was void in law, not only from the inconvenience and unreasonableness of it, but because it was a mere personal custom, and could not alter the descent of an inheritance by the common law of England. It is there said that formerly in Ireland every lordship or chiefry, with the portion of land that passed with it, went without partition to the *Tanist*, who always came in either by election, or *manu forti*, and not by descent; but all inferior tenancies were divisible among the males in *Gavelkind* (p. 49.)

† By this custom, says Sir John Davis, (Hist. Ir. 180.) "the potent and rich men selling, and the meaner sort buying the alterage of their children: and the reason was, because, in the opinion of this people, fostering hath always been a stronger alliance than blood; and the foster children love and are beloved of their foster fathers and their sept more than of their own natural parents and their kindred."

‡ In order to prevent the natural effects of fostering children, and by the crooked policy of those days, in the 28th of Henry VIII. ch. 28. it was made treason for any of the king's subjects within the land to marry or foster themselves, their children, or king's folk, within the fourth degree, or any of them to or with any Irish person or persons of Irish blood, which be not the king's true subjects, nor use themselves accordingly, though any such person or persons be made denizens. What ideas of oppression and inconsistency does not this statute afford, viz. the possibility of a king's subject being denized, and a prohibition of the intercourse of nature between the king's subjects?

The

The grand epoch of political eminence in the early history of the Irish is the reign of their great and favourite monarch *Ollam-Fodlah*, who reigned, according to Keating, about 950 years before the Christian æra. Under him was instituted the great *Fes* at *Teamor* or *Tarah*, which was in fact a triennial convention of the states, or a parliament, the members of which consisted of the Druids and other learned men, who represented the people in that assembly. Thus the monarch and the provincial and other kings, who had the executive power in their hands on one side, and the philosophers and priests, together with the deputies of the people on the other, formed the whole of this ancient legislature. When this great council was convened, previous to their entering upon business, they sat down to sumptuous entertainments for six days successively. Very minute accounts are given by the Irish annalists of the magnificence and order of these entertainments; from whence we may collect the earliest traces of heraldry that occur in history, and deduce that partiality for family distinctions, which to this day forms a striking part of the Irish national characteristic. In order to preserve order and regularity in the great number and variety of the members who met together on these occasions, when the banquet was ready to be served up, the shield-bearers of the princes and other members of the convention delivered in their shields and targets, which were readily distinguished by the coats of arms emblazoned upon them: these were arranged by the grand marshal and principal herald, and hung upon the walls on the right side of the tables, and upon entering the apartments each member took his seat under his respective shield or target without the slightest disturbance*. The first six days were not spent in disorderly revelling and excess,

* Nothing can give us stronger ideas of the early civilization of Ireland than to reflect upon the period of time, at which this regular system of heraldry and other literary institutions were established in Ireland; viz. 950 years before the æra alluded to by Cæsar of the rude barbarism of the Britons. In this triennial assembly King Ollam Fodlah (about 950 years before the coming of our Saviour) gave the royal assent to a great many good laws, and amongst the rest to one, whereby it was ordained, that every noblemen and great officer should by the learned heralds have a particular coat of arms assigned to him, according to his merit and his quality, whereby he should be distinguished from others of the same rank, and be known by an antiquary or person of learning, wherever he appeared, whether at sea or land, in the prince's court, at the place of his own residence, or in the field of battle. (The Bishop of Derry Ir. Hist. Lib. quotes Keating, p. 143.) The nature of this undertaking will not admit of minute critical disquisitions into the authenticity of several leading facts of the Irish history, which nothing but their extreme antiquity renders doubtful to the indolent,

excess, but particularly devoted to the examination and settlement of the historical antiquities and annals of the kingdom: they were publicly rehearsed and privately inspected by a select committee of the most learned members. When they had passed the approbation of the assembly, they were transcribed into the authentic chronicle of the nation, which was called the register or psalter of *Tarah*. This singular caution to prevent the introduction of any falsity or misrepresentation into their national history, would have furnished posterity with the most authentic and interesting relations of this ancient and extraordinary kingdom, had not the Danes in their frequent ravages and invasions of Ireland, during the 9th and 10th centuries, burnt all the books and monuments of antiquity that fell in their way. We have still more to lament the shameful and fatal policy of our ancestors, who from the first invasion of Henry Plantagenet down to the reign of James the First took all possible means of art and force to destroy whatever writings had by chance or care been preserved from the destructive hands of the Danes.* They imagined, that the perusal of such works kept alive the spirit of the natives, and kindled them to rebellion by reminding them of the power, independency, and prowess of their ancestors. The public mind upon this subject has been long changed: two centuries have gone by, since Sir John

indolent, or fabulous to the unthinking. There is, however, a mass of evidence, which, when impartially weighed, boldly bids defiance to the fastidious and envious sceptic, and demonstrates the extreme antiquity of the Irish nation, and its colonization by the Phœnicians about 1000 years before the Christian æra. Without calling upon the submission of any one to a particular fact of the ancient history of Ireland, when we combine together the proofs of the Phœnician and Irish language being the same, the similarity of the old Irish and Carthaginian military weapons, the concordance of the Greek and the Irish accounts of the names and productions of the island, the coincidence of the bards and historians as to the number of their kings, the reference of their earliest bards to long pre-existing usages, which confirmed by names and terms which have survived those usages, prove their former existence, the very fabulous allusions of their bards or poets to the names of monarchs who find their regular places in the lists of the most accurate and attentive annalists, the accuracy of computation upon the lives and number of their monarchs to fill up the space of time attributed to the continuance of their royal lineage, the physical discoveries of their very ancient cultivation, the extreme probability of all the leading coincidences, the attempts of their conquerors to eradicate all the vestiges of their antiquity and splendor, the testimony of strangers as to the belief of the natives, and the very traditions of a people who have preserved their language for 3000 years, all tend to raise a monument of historical veracity, which ignorance, prejudice, malice, envy, or tradition, will never be able to overturn.

* The like was done in Scotland under our first Edward.

Davies said, that "had this people been granted the benefit of the English laws, it would goe infinitely farther towards securing their obedience, than the destruction of all the books and laws ever published in this kingdom." We have happily lived to see a legislative union of the two countries, which will, it is trusted, by the natural workings of the British Constitution, go further in three years towards the destruction of national prejudice and disaffection, than a mere communication of laws did in three centuries.*

Notwithstanding this legislative caution against historical prostitution, few histories are so charged with fable, as the Annals of Ireland. For besides such historiographers, as submitted their productions to the investigation of the *Fes*, every family of consequence retained bards to celebrate and record their actions, who from the very nature of their dependant situation could not be expected to administer that historical justice, which the state historians were necessitated to do, as being pensioned by the public, and subjected to the authority of the triennial convocation. These private histories being written in verse, admitted of all the aids of poetical fire and fancy, to raise, flatter and provoke the passions. Large and ample revenues were assigned to the public heralds, physicians, harpers and bards: and although they were hereditary, yet, as before observed, the eldest son did not regularly succeed to the employment and estate, unless he were the most accomplished of his race in his particular profession.

To this day the native Irish have a peculiar taste for musick and poetry: every excellence and extraordinary talent is with them still holden in the highest estimation; as it formerly was rewarded with emolument and honor. Anciently the arts of poetry and musick were cultivated by the Irish (or *Scots* as they were then called) to a degree of extravagance. The manners of the people were engrafted on this stock. The arts themselves were considered to be of divine original, and ignorance of them was judged a sufficient exception to a man's elevation to any important service or dignity in the state. The history of their nation, all the placits or acts of their legislators, and all their systems, philosophical, metaphysical and theological, were conveyed in the harmony of sound and verse. Such subjects formed the chief diversion of their festive hours. They were sung by their princes bards

* In the middle of the last century Bishop Berkeley observed "though it is the true interest of both nations to become one people, yet neither seem apprized of this truth." Warn. Hist. p. 30.

and crotaries with vocal and instrumental accompaniments.* Besides the other duties of their profession the bards acted as heralds: clad in white flowing robes, and accompanied by musicians, they marched with the chiefs at the head of their armies, which they animated by martial strains, sung to harp accompaniments. They sung also the funeral panegyrics of such as fell honorably in battle. The excellence of the Irish in †athletic accomplishments has through all ages been proverbial. The variety of revolutions, convulsions, distresses and oppressions under which Ireland has at different times laboured, prevents us from tracing any uniform national taste or disposition for the cultivation or improvement of the soil. ‡

The

* A national file or character of music is the most incontestible proof of the nation's disposition to harmony. Cambrensis, the determined enemy of the Irish nation, says notwithstanding, *of all the nations within our own knowledge, this is beyond comparison the first in musical compositions.* Ann. 4. Mag. This was said some centuries back. Geminiani, that great master of harmony, has more recently affirmed, that he found no music on this side of the Alps so original and beautiful as the Irish airs. O'Con. D. p. 72.

† All athletic accomplishments will be cultivated in proportion to the encouragement given to them by public institutions. Long before the Christian æra one month was dedicated to gymnastic exercises in every year, and that they might be the more generally frequented, the finest season of the year was chosen for this purpose, viz. from the middle of July to the middle of August, which in Ireland is as early as the harvest usually begins. They consisted of all sorts of military exercises, horse and foot races, wrestling, and other such contests of strength and art. They were holden at Tailton, in Meath, and were established by one of their favorite monarchs, *Lugha Lam Fada*: and the first of August is to this day called in Irish *La'h Lugh Nasa*, which means a day devoted to the memory of *Lugha*. See Keating Reign of *Lugha* and *Ogyg*, 3 pt. c. 13.

‡ Hence the old Irish saying, that *Ireland was thrice under the ploughshare, thrice it was wood, and thrice it was bare.* The historical relations of the former population, cultivation and natural opulence of this island, need no other proof than the various discoveries of their ancient relics, which stamp them with an authenticity, that baffles all scepticism, ignorance or malice. Many unsatisfactory conjectures have been made of the original causes and formation of bogs in Ireland; every hypothesis which goes to account for them from the conflux of rain, river, and spring waters rotting and rendering the surface of the soil spongy, or from the neglect of cultivation, or any other gradual cause, seems untenable, if we credit the daily discoveries made under the boggy substance, of every species of trees, always lying in the same direction (from west to east) hazle trees in full bearing, the furrowed relicts of tillage, culinary utensils still filled with unctuous substance, all sorts both of military and civil implements useful and ornamental, of massy gold, silver, brass and composition, all of equal and great antiquity: all which circumstances bespeak some sudden convulsion of nature, and that in the summer season, which overwhelmed the country and at once encrusted the then cultivated surface, with all that was upon it, with this spongy substance,

the

The obscurity of the first period of the History of Pagan Ireland was put an end to by letting in the light of the Gospel: for with the introduction of Christianity a new set of historians or annalists sprung up, new repositories of learning were established, foreign connections were much extended, and the learned languages were brought into use. It is to be lamented, that the Christian spirit of candor and truth has so little influenced most modern historians of Christian Ireland. Suffice it to state, what is indeed asserted, by all ancient authors and admitted by the most respectable modern writers, that St. Patrick was sent * by Celestine Bishop of Rome to preach the Gospel to the Irish, together with twenty assistants eminent for their virtue and learning. †

the careful removal of which at this day, demonstrates a former state of cultivation and opulence. The silence of all historians upon such a sudden calamity or visitation of God upon the land, is certainly a strong presumption against this hypothesis. And that Ireland formerly superabounded (as it certainly still does, if properly explored and worked) with gold, silver, lead, tin, copper, coals and other minerals, is incontestable from the discoveries of half-worked mines, and the solidity of implements of gold and silver constantly discovered; the laws for the annual or occasional payment of given quantities of gold and silver; the concurrence of all ancient historians and constant recent appearances, inasmuch that the parliament of Ireland in 1796, voted 1000*l.* to be applied towards making an experiment for working a gold mine in the mountains of Wicklow. 36 Geo. III. c. 1. s. xxxi: Many pounds of pure gold having been washed down from these mountains about that time.

* Whether or no it pleased the Almighty to confirm the preaching of this apostle of the Irish by all or any of the signs and prodigies, which are recorded in the early history, his mission is irrelevant to the scope of this history to examine. But it is material to know, that the faith which was preached by St. Patrick to, and received by the Irish, was, that which is now denominated the *Roman Catholic Faith*. It could in fact have been no other. For St. Patrick received his Christian Education, as well as his Surname *Patricius* at Rome: nor is it to be presumed that Pope Celestine sent St. Patrick to preach other doctrines, than what he himself maintained: and what these were may be easily collected, not only from the writings of St. Patrick and some of his co-apostles in that country, but from those of his contemporaries, Sts. Hierome, Ambrose, Augustine, &c. &c. After the introduction of Christianity and the establishment of a regular Hierarchy throughout the island, the communication of Ireland with Rome became, by the intervening distractions of the continent, less frequent than it had been. In about two centuries after the establishments made by St. Patrick, there broke out a sort of schism between the Church of Ireland and the Church of Rome, not indeed upon any dogmatical points of faith or religion, but upon the mere point of Ecclesiastical Discipline, as to the mode of computing the time for celebrating Easter. After some contention the Irish Church submitted to the Roman Ordinance. The native Irish boast that never since this difference has the Irish Hierarchy been interrupted.

† Dr. Warner admits that *he went to Rome to be consecrated for his mission*. Hist. 273. St. Patrick flourished in the 5th century, and was contemporary with St. Augustine, St. Ambrose, &c.

Under the blessing of God, St. Patrick and his coadjutors applied themselves with the utmost assiduity to the work of their mission; and their success exceeded all human expectations. In no land did the Gospel make such rapid progress; in none was it so slightly opposed at its first introduction. The people, says an historian, received the doctrines of Christianity with a spiritual sort of violence. Those, therefore, who discover the hereditary traces of a national spirit under the various modifications, which time produces, will not wonder, that what the nation so received, it should adhere to with a violent sort of tenacity: and it is certainly a political axiom, that tenderness and even reverence are to be paid to the conscientious convictions of a people, be they what they may.

Whether the facility, with which the first Christian missionaries propagated their divine doctrines, were in any manner owing to the superior state of letters and other civil cultivation in Ireland, is now difficult to determine. It has indeed been said, that Christianity ever met with the least opposition from the most learned and civilized nations. But how does this accord with the persecutions from heathen Rome? Certain it is, that Christianity was introduced into Ireland with less change or violence to the civil institutions of the country, than in any instance recorded in history; and it is truly singular, that within the short space of five years after St. Patrick had opened his mission, he was summoned to sit and assist in the convention or parliament of Tarah. He was appointed one of the famous Committee of Nine, to whom was intrusted the reform of the ancient Civil History of the Nation, so as to render it instructive to posterity. Literary establishments had subsisted in Ireland from the most remote antiquity: and it has been before remarked, that talent and science had ever been in the highest estimation with the Irish nation: it may not then be unfair to conclude, (barring any extraordinary interposition of the Deity) that had not these missionaries particularly exerted themselves in their attentions to erudition, their proselytes would have been less numerous, less tractable and docile than they were. Christian schools and seminaries were established in opposition to those of the Druids: and as Paganism declined, they multiplied and flourished; insomuch that from the 5th to the latter end of the 9th century the Irish nation was preeminently distinguished above all the nations of Europe, as the first seat of literature and science. When we consider, that since Ireland has become connected with, or rather subjected to England, it has ceased to perform the part of a nation on the

the political theatre of the universe, we bring our minds with difficulty to believe the accounts of her leading eminence on that very theatre before such connection or subjection took place. However, natives, foreigners, friends and enemies, all in perfect unison, extol the præexcellence of that learning of the Irish clergy, which attracted the youth of the most respectable families of every nation in Europe, to their seminaries for education. Venerable Bede, not only confirms this as to his own countrymen, the Anglo-Saxons, but records an instance of national generosity and hospitality in the Irish, which stands single and unprecedented in the annals of mankind. Such of our ancestors, as went over to Ireland either for education, improvement or for an opportunity of living up to the strictest ascetic discipline, were maintained, taught, and furnished with books without fee or reward.* In Ireland did our great Alfred receive his education. Bede informs us that the Anglo-Saxon King Oswald applied to Ireland for learned men to teach his people the principles of Christianity. And a foreign writer† under the French monarch Charles the Bald, says; “why should I mention Ireland? Almost “the whole nation despising the dangers of the sea resort to our coasts with a “numerous train of philosophers.” In the 7th century the Emperor Charlemagne paid a just tribute to the celebrity of the Irish monarchy, by honouring their sovereign with his alliance and friendship.‡ This state of

* “A most honorable testimony,” says Lord Littleton, “not only to the learning, but also “to the hospitality and bounty of that nation.” It would be unjust not to notice that innate spirit of hospitality, which distinguishes the Irish nation from all others. For even to this day amongst the poor natives, so universally does this system of hospitality prevail, that a traveller enters the cabin he arrives at, and sits down with as much ease and confidence as he would at home; and is sure of a cordial welcome to a participation of whatever it affords. There was an old Brehon law against septs suddenly breaking up their establishments, and emigrating to other parts of the country, lest the stranger and traveller might be disappointed of that reception and entertainment, which the law presumed them entitled to by a claim of social nature. It is the custom to this day with the native Irish peasants, to unlatch and open the door of their cabins whenever they sit down to what they call a meal. This amiable and magnificent principle of hospitality is more discernable in the frank participation of the homely fare of the cabin, than in the ostentatious display of refined luxury, which, in the higher orders, has taken place of that genuine principle of benevolence. Leland observes, the Christian clergy were particularly careful to inculcate this value of hospitality. Prelim. Dif. xxxi.

† Henrick of St. Germain.

‡ A monument of which was preserved in tapestry in the late palace of Versailles, in which the King of Ireland with his harp was in the row of princes in amity with that emperor.

preeminence

preeminence which Ireland so long enjoyed* amidst all the nations of Europe, shews to what a degree of consequence she is capable of rising, when her native energies and powers are not crossed by internal divisions, or damped by foreign power, oppression, and intrigue. What but union with Great Britain could so effectually withdraw the checks and obstacles too long thrown in the way of Irish greatness, and effectually stimulate that people to emulate their pristine glory?

Ere I conclude this chapter, historical justice demands the refutation of a charge generally preferred against the Irish, of lawless intractability. I wish the imputation originally lay as much in ignorance, as in malevolence. In no nation of the earth, but Ireland, have we witnessed that the arts and sciences have flourished amidst the horrors and devastations of war. This was owing to the reverence and esteem, in which the Irish ever held the professors of the polite arts and sciences, and the ministers of religion. In like manner did they revere and hold as sacred the administration of justice. Even a constant intestine war of 400 years, nourished and kept alive by different English deputies, could not erase those exalted principles. Finglass, chief baron of the exchequer in the reign of Henry VIII, says, "that the English statutes passed in Ireland are not observed 8 days after passing them, whereas those laws and statutes made by the Irish on their hills, they keep firm and stable without breaking them for any favor or reward." Sir John Davies, who had still better opportunity of knowing the Irish (as being the first English justice, that ventured on circuits out of the pale, assures us, "that there is no nation under the sun, that love equal and indifferent justice better than the Irish; or will rest better satisfied with the execution thereof, although it be

* There happened about the year of our Lord 1418, a very notable transaction, which proved the high estimation in which the kingdom of Ireland then was, and ever had been, holden by the learned of Europe. At the council of Constance the ambassadors from England were refused the rank and precedence, which they claimed over some others; they were not even allowed to rank or take any place as the ambassadors of a nation: the advocates for France insisted, that the English having been conquered by the Romans, and again subdued by the Saxons, who were tributaries to the German empire, and never governed by native sovereigns, they should take place as a branch only of the German empire, and not as a free nation; for added they, "it is evident from Albertus Magnus, and Bartholomew Glanville, that the world is divided into the three parts, Europe, Asia, and Africa (America had not then been discovered): Europe was divided into four empires, the Roman, the Constantinopolitan, the Irish, and the Spanish." The English advocates admitting the force of these allegations, claimed their precedence and rank from Henry's being Monarch of Ireland only, and it was accordingly granted. O'Hal. 1. v. 68.

against

“ against themselves.” This must be considered as the testimony of an enemy, written at the conclusion of a most bloody war for 15 years, and therefore more pointedly clears the Irish of this unfounded accusation. The additional testimony of Sir Edward Coke, whose candor did not on all occasions keep pace with his learning, shall close this chapter: * “ For I have been informed “ by many of them, that have had judicial places there, and partly of mine “ own knowledge, that there is no nation of the Christian world, that are “ greater lovers of justice than they are, which virtue must of necessity be “ accompanied by many others.”

* 4 Inst. 349.

PART I.

OF THE STATE OF THE IRISH FROM THE INVASION UNDER HENRY PLANTAGENET TO THE REFOR- MATION OF RELIGION UNDER HENRY VIII.

THE object of the preceding chapter was to represent the state of Ireland, and the native powers, disposition, and character of the Irish, independently of any connection with England. We have seen the Irish to be a people endowed with great powers both of mind and body, of quick sensibility and impetuous retort, lovers of the arts and sciences, and enthusiastic encouragers of talent, devotees to religion and its ministers, warlike, brave and prodigal of life, inflated with the pride of ancestry, and violently led away with those national prepossessions, which, whilst they operate self-love and esteem (by some called *patriotism*) on one hand, seldom fail of producing contempt or hatred of foreign nations on the other. In a word, we have seen them a people super-eminently gifted by nature with all those active principles of public virtue, which, when properly directed, ensure the attainment of national happiness, prosperity, and consequence. But it has ever been the bane of Ireland to be distracted with internal discord. This part comprises a period of nearly 400 years; and it demands our peculiar attention, inasmuch as it was a long test of the mutual disposition and relative conduct of the two nations of England and Ireland to each other, whilst both professed the same religion. It is the more necessary to be closely attentive to this circumstance, by how much Ireland, in latter days, has suffered on the score, under the pretext or by the abuse of religion. No convictions, no prepossessions on any side can be so violent, as to preclude the most poignant grief, that the sacred cause of religion should have been so often perverted to ends diametrically opposite to its benign institutions.

The latter part of the Irish history, immediately preceding the invasion of that kingdom by the English, presents to us a continued scene of intestine dissention, turbulence, and faction. About the year of our Lord 1166, Roderic O'Connor, who was of the house of Heremon, and therefore of undoubted *Milesian* stock, was raised to the monarchy, and generally submitted to by the whole kingdom. His prospect of a happy and peaceful reign was soon clouded by the revolt of several of the petty kings or princes, who had sworn allegiance to him. Scarcely had he reduced them to obedience, when he was called upon by O'Rourke, king of Breffny, to assist him in avenging himself of Dermot, king of Leinster, by whom he had been grossly injured. Whilst O'Rourke was absent on a pilgrimage (a fashionable devotion in those days), his wife, who had long conceived a criminal passion for the king of Leinster, consented to elope, and lived with him in public adultery.* O'Rourke succeeded in rousing the monarch to avenge his cause, and immediately led a powerful force to his assistance. The whole kingdom took fire at the perfidy and iniquity of Dermot, who looked in vain for support from his own subjects. He was hated for his tyranny, and the chieftains of Leinster not only refused to enlist under his banner in so iniquitous a cause, but openly renounced their allegiance. Dermot thus deserted by his subjects was enflamed with rage at the disappointment, and resolved to sacrifice his all to personal revenge. Unable to weather the storm that was gathering, he took shipping, secretly, and repaired to Henry II. who was then in France, for protection and revenge.

It would be foreign from my purpose to notice the various accounts of different annalists, as to the precise date of the elopement of O'Rourke's wife; the flight of Dermot to Henry the Second; the first views and intentions of our monarch in invading Ireland; or those curious donations or crusading grants of the kingdom of Ireland, from Adrian IV. and Alexander the Third † to the English monarch: suffice it to say, that few or no misfortunes have befallen that country, from this period, whereof on

* Abstractedly from the breach of morality, the Irish annexed the highest importance to conjugal infidelity; for as purity of blood was one of the fundamentals of their constitution, accordingly the offering violence to a woman, so early as the reign of their great and wise monarch Ollam Fodlab, was made punishable with death, and out of the power of the monarch to pardon.

† Vide Appendix, No. I.

some side or other the abuse of religion has not aggravated the calamity. The year of Christ 1152 is the epoch at which all our writers, from Archbishop Usher down to Dr. Leland, fix the full and unequivocal submission of the Irish Church to the See of Rome.* Usher has laboured to prove a difference in the Irish Church from the Church of Rome, before this period, in doctrine, discipline, and communion; yet he and all other writers admit that from the assembly at Kells (some say Drogheda), at this period, where there were 3000 of the clergy convened, as an unequivocal mark of their entire union and communion, in all things, with the See of Rome, the four archbishops of Armagh, Dublin, Cashel, and Tuam, received the pall from Cardinal Paparon, who was admitted into Ireland with a legatine commission; and from thenceforth the Irish prelates formally submitted to, and recognised the spiritual supremacy of the bishop of Rome.

Imagination can scarcely invent a pretext for the bishop of Rome's exceeding the line of his spiritual power, by the formal assumption of *temporal* authority over independent states. Such acts of power have, however, been most unwarrantably exercised by the Roman pontiffs, and most unaccountably submitted to by temporal sovereigns. Adrian IV. was an Englishman, and therefore the more blameable in prostituting the spiritual supremacy to the wicked purpose of forwarding the ambition of his own sovereign. The Irish

* Dr. Leland says, p. 7. *Thus was the correspondence opened with the Church of Ireland, and the pre-eminence of Rome formally acknowledged.* From the unaccountable and perhaps unjustifiable purport of this bull, breve, or letter of Adrian, by which he gave Ireland to Henry the Second, some Catholic writers have conceived it impossible that it should have really issued from the Vatican. Father Alford, an English jesuit, strongly denied its authenticity (Bow. Hist. of Popes, 6 vol. 108); and Abbe Gheoghegan most strenuously labours to prove it a forgery, from a variety of reasons, which he works up into a dissertation upon the subject. One of the chief grounds of his assertion is the profligate character of Henry, which rendered him unfit for an apostle. He contends that the pope was misinformed as to the state and cultivation of religion in Ireland: and he also combats his holiness' assumption of a right to dispose of all islands that ever had received the light of Christian faith; and concludes that it was a forgery from its not having been published till the year 1171, notwithstanding it bears date in December 1154. (*Vide Geog. Hist. 1 vol. 438 to 462.*) The pontificate of Adrian lasted only about five years, viz. from the 3d of December, 1154, to the 4th of September, 1159. The abbe also draws another reason in support of his favourite thesis from its appearance in Baronius without a date. But, assuredly, an author of Baronius's credit and respectability, possessing the readiest means of ascertaining the truth, never will be suspected of having published a forgery as an authentic act of the sovereign pontiff.

nation, however, drew the true line of demarcation between the spiritual and temporal power, by resisting this mock donation of the kingdom to a foreigner; a distinction which the nation has generally made, but which before the accession of his present majesty it had not been allowed to give earnest of upon oath. If any thing can strongly paint the abusive profanation of religion, it certainly is Henry's attempt to gloss over with the sanctified varnish of spiritual sanction the infamous support of an adulterous tyrant, and the more iniquitous efforts of his own ambition and usurpation. Possibly King Henry may have relied more upon the devotion of the Irish to the Roman mandate than upon the power of his arms. In the first, he was disappointed; and he would have failed in the latter, had Ireland been united in itself.

Dermot made a most humiliating address and a canting representation of his sufferings to Henry, whom he found in Aquitaine; promising, that if through his powerful interposition he should recover his lost dominions, he would hold them in vassalage of Henry and his successors for ever. This fell in with the ambitious views of our monarch; but his affairs being then too much embarrassed to allow him to undertake any enterprize in person in favour of the guilty fugitive, he encouraged Dermot by promises of vigorous support, and gave him in the mean time letters of credit and service to such of his subjects as should be ready and willing to assist him in the recovery of his dominions. With these recommendations and credentials, Dermot repaired to Bristol; which in those days was the chief port of communication with Ireland. Here he engaged with Richard Earl of Pembroke, surnamed *Strongbow*, to give him his daughter in marriage, and settle his kingdom upon him, in case, by his assistance, he should regain possession of it. To Robert Fitz-Stephens and Maurice Fitz-Gerald he promised the city of Wexford and the adjacent country, on the like condition of success. The spirit of adventure, backed by the encouragement of the king (who intended to avail himself of the successes of these adventurers to acquire a permanent footing in Ireland), induced Strongbow and his co-adventurers to prepare a respectable force for supporting the efforts of Dermot to regain possession of that territory, out of which they were to reap so luxuriant a harvest. Dermot, in the mean while, went over in disguise and spent the winter in the monastery at Ferns, which he had founded; there he busied himself in preparations for the intended invasion and waited the return of the spring, when

when the promised succours were to be sent out from England. They did arrive; and, by a most unexpected turn of fortune, Dermot was reinstated in his ancient rights. Various are the statements of the British forces landed in Ireland on this expedition. None extend them beyond 3000, including the friends and adherents of Dermot who joined them after their landing. It is to be remarked, that this prince, notwithstanding his tyranny and flagitious conduct rendered him odious to the steady and thinking part of his subjects, yet being of a comely and robust stature, of athletic powers and boisterous intrepidity, he was much favoured by the lower classes, by which such personal accomplishments are highly prized: these persons he was anxiously careful to flatter, favour, and protect. His ambition also prompted him to secure the favor and countenance of the clergy (under whose guidance he considered the lower order of the people constantly to move), by bounties, largesses, and foundations, which he substituted for those acts of benevolence and virtue, that ought alone to have ingratiated him with this select order. These were the instruments upon which he rested his ambition, and ultimately they did not fail him. It is painful to read the instances of inhumanity by which the English adventurers violated their treaties, and defiled their victories by the massacre of their prisoners. The personal presence of Henry II. and the several aggressions of *Strongbow* with fresh reinforcements under Henry's reign, all ended in making some colonial lodgments on the sea coast, and instilling into the natives a dread of the English arms and discipline, and a hatred of their name and race. So says Sir John Davies;—" he (Henry) departed out of Ireland without striking
" one blow, or building one castle, or planting one garrison among the
" Irish; neither left he behind him one true subject more than those that
" he found there at his first coming over, which were only the English
" adventurers spoken of before, who had gained the port towns of Leinster
" and Mounster, and possessed some scopes of land thereunto adjoining,
" partly with Strongbow's assurance with the land of Leinster, and partly by
" plain invasion and conquest. And this is that conquest of King Henry II.
" so much spoken of by so many writers, which though it were in no other
" manner than is before expressed, yet is the entire conquest of all Ireland
" attributed to him."

It is usual with most of our writers to represent the force which these adventurers landed, in such formidable colors, as if nothing in Ireland
could

could withstand it; but every day's experience teaches us the incalculable advantages of discipline over numbers, strength, and valor. The Irish nation cannot be said to have opposed this invasion; some Irish families, indeed, did oppose it; and because they opposed it separately, they were separately defeated. After the siege of Dublin, Roderic O'Connor had disbanded his army, when O'Rourke, with his own clan of Breffny, made a vigorous assault upon the town; the spirit of which, says Leland,* proved that the forces of one Irish chieftain, united and obedient, were really more formidable than much more considerable numbers collected from different provinces, without mutual harmony or subordination. It is admitted on all hands, that several chiefs sent over deputies to invite Henry to Ireland: the men of Wexford, O'Bryan of Thomond, and all the inferior chiefs of Munster, vied with each other in the alacrity of their submission.

This æra of the Irish history exhibits the singular phænomenon of the Irish in the very meridian of papal ascendancy in their country, which had been so firmly and so recently rivetted at the convocation of Kells, publicly disregarding a bull from the Holy See, and fighting against the invader, who came armed with the plenitude of the high pontifical authority. Although, however, the Irish clergy of that day were too wise, and too honest, to permit their flocks to submit to this stretch of temporal power in the supreme bishop, by *receiving him* (the invader) *honorably, and reverencing him as their Lord*; yet if we may be allowed at this distant period to combine facts and narratives, the consequence will be a fair suggestion, that this papal bull produced a certain effect upon the clergy, which rendered them less adverse to the pretensions of the Norman invader, than they otherwise would have been; for at the very critical moment when the preparations and plans of Roderic seemed to ensure the total subjugation of the kingdom of Leinster, and the consequent discomfiture of the invading ally of Dermot, then the clergy, in a body, waited on Roderic; and, prostrating themselves before him, besought him to have pity on the country, and stop the further effusion of Christian blood. Through their intercession he commenced a truce, and at length granted peace to the king of Leinster on very advantageous terms: for by it the latter was reinstated in his dominions in as ample a manner as they had been enjoyed by any of his predecessors; he engaging to dismiss his foreigners and pay to O'Rourke 100 ounces of

* Vol. I. p. 65.

gold for the injury he had received ; and for the faithful performance of these conditions, he put into the monarch's hands his natural son and fix of the principal of his nobility.

Without attempting a detail, much less a disquisition into the nature, dates, motives or causes of the different events which ensued during the reign of Henry, upon which the Irish annalists are much at variance, it will suffice to notice generally, that the princes of Munster were the first who set the example of submission to their countrymen. The king of South Munster did homage there to Henry for his country ; and the king of North Munster did the same, soon after, at Cashell. The English sovereign also received the homage of Strongbow for the kingdom of Leinster, and the submission of the nobility of Leinster, and of the Ossorians in Dublin. Roderic, the monarch, though still at the head of a powerful army, met Henry on the banks of the Shannon ; and although nothing were finally concluded upon at this interview, it gave rise to the treaty of peace soon after made at Windfor ; and signed by the archbishop of Dublin, his chancellor, and the archbishop of Tuam, on the side of the Irish monarch, and by Henry's ministers on the side of England.* We cannot collect from history the particular views and motives for the homages and submissions which Henry received before his return to England. The treaty of Windfor certainly goes no further than a tributary acknowledgment of Henry as lord paramount ; Roderic preserving allegiance to Henry, and retaining the kingdom of Conaught with the same rights of royal sovereignty he enjoyed before Henry had landed in Ireland. This, in truth, appears to be the extent of Adrian's bull ; and I cannot refrain from attributing the ready submissions of so many Irish kings and chieftains to the secret influence of the clergy, who might wish by any means to prevent a rupture with the See of Rome. I am the more confirmed in this idea from the language of that very bitter Memorial or Remonstrance presented by the Irish chiefs to Pope John XXII. in the reign of our second Edward, when they called over Bruce from Scotland to reassume the monarchy of Ireland, and put an end to the English power in that island.† After having referred to

* Vide this treaty, App. No. II. The kingdom of Ulster was not included in, or affected by this treaty, or any of the anterior submissions or homages.

† This effort to regain the kingdom of Ireland was defeated, in the loss of the famous battle of Athunree in the year 1315 : it was the most bloody contest that ever took place between the two nations ;

to a long string of their monarchs who had sacredly preserved the Catholic faith, in the purity in which they had received it from St. Patrick, and who without any mixture of foreign blood had continued to reign in Ireland till the year 1170, it continues: " And those kings were not Englishmen, " nor of any other nation but our own, who with pious liberality bestowed " ample endowments in lands, and many immunities on the Irish Church ; " though in modern times our churches are most wantonly plundered by " the English, by whom they are almost entirely despoiled. And though " these our kings so long and so strenuously defended against the kings " and tyrants of different regions the inheritance given them by God, pre- " serving their innate liberty at all times inviolate, yet Adrian the Fourth, " your predecessor, an Englishman, more even by affection and prejudice " than by birth, blinded by that affection and the false suggestions of " Henry II. king of England, under whom, and perhaps by whom St. " Thomas of Canterbury was murdered, gave the dominion of this our " kingdom, by a certain form of words, to that same Henry II. whom he " ought rather to have stript of his own on account of the above crime. " Thus omitting all legal and juridical order, and alas ! his national prejudices " and predilections blindfolding the discernment of such a pontiff, without " our being guilty of any crime, without any rational cause whatever, he " gave us up to be mangled to pieces by the teeth of the most cruel and " voracious of all monsters," &c. Allowing largely for the irritation which embittered the language of these Irish remonstrants against the oppression of the English, it is impossible not to conceive, that unjust as the bull of Adrian was, yet it certainly operated in a great degree towards forwarding the submissions made to Henry.*

There nations; it happened on the 10th of August, and continued through the whole day from the rising to the setting sun. The Irish attacked with the most ferocious impetuosity ; but they were neither armed nor disciplined : they were rather headed, than commanded, by Felim O'Connor. Such was the enthusiasm of his army, that above 10,000 of them fell in the field ; amongst which were twenty nine subaltern chiefs of Connaught. Tradition states, that after this decisive battle, the O'Connor family, like the Fabian, was so nearly exterminated, that throughout all Connaught not one of the name remained (except Felim's brother) who was capable of bearing arms.

* This is pointedly corroborated by a letter of the King of Ulster to Pope John XXII. in which he says: " Your predecessor Adrian IV. who was by birth an Englishman, instead of punishing " Henry for invading the rights of the church, and the murder of the archbishop of Canterbury, " has

There can be no other reason for referring the reader to these remote periods of the Irish history than that of enabling him to form a comprehensive and comparative judgment of the great benefit conferred upon that country by its union with Great Britain. From these he will see how every other system than that of a legislative union deviated from the principles of the English constitution; how the arrogance of conquest begat oppression, how oppression engendered hatred and implacable revenge: from these he will learn that the native diffidence, jealousy, and hatred which the Irish shewed for so many centuries towards the English, originated not in the difference of religion; for even in the heat of the two last centuries they never were mounted to a higher pitch, and never were acted upon more uninterruptedly, than during that long space of nearly 400 years, during which both nations professed the same religion.

Henry having succeeded so far beyond his expectations, ingratiated himself with the chiefs, who had submitted to him, not only by promises of protection and aggrandizement, but by magnificent presents. Had he in fact faithfully complied with what he very judiciously engaged to perform, and secured to this people the constitution and laws of England,* which he made them swear to observe and uphold, no revolution could have been more fortunate for the nation; none more glorious to the monarch. But Henry thus early set the fatal example of perfidy and oppression to the Irish. In lieu of his promises of future favors to the chieftains, he dispossessed them of

“has delivered up our nation as a prey to his countrymen, or indeed rather to monsters, whose cruelties are unparalleled.” And “During the course of so many centuries (continues the prince) our sovereigns, jealous of their glory, never would suffer their independence to be called in question. Invaded more than once by foreign powers, they wanted neither courage to attack, nor force to repel their enemies, and give freedom to their country. But that spirit, which they opposed to force, they would not to the simple decree of Adrian your predecessor.” No other observation is to be made, than that the clergy at the time were ashamed to avow the consequence they really annexed to this crusading commission of Adrian, and that cotemporary and subsequent historians either overlooked, suppressed, or disclaimed it. *Scoto-Chron.* Vol. III. p. 908.

* This was done at the great council of Lismore, where says *Mat. Paris*, *Leges Anglia sunt ab omnibus gratanter acceptæ*. It is also recorded by some, that at this council the bull of Adrian was read and approved of. A circumstance which bespeaks too prompt a submission of the clergy to the power of the day, but which fully justifies the observations already made upon the effects of that bull.

their honors and territories, and granted them out with the arbitrary prodigality of a conquering despot to his Norman adventurers, whom he raised at the same time to the rank of feudatory princes. Thus unfortunately was laid by the hand of power the corner stone of that rancorous animosity, which has withstood the revolutions of six centuries, to be laid at last by the soothing powers of an incorporate union. The natives, as was to be expected, disappointed of their hopes, and stripped of their property and consequence, endeavoured to re-enter their several countries by force.* Thus was the kingdom reduced to a more grievous state of warfare and anarchy than it had ever suffered even under the Danes. England, which by uniting at that time with Ireland, would have acquired incalculable advantages, was in fact a sufferer by the accession of a country, which kept her for the space of 400 years in constant alarm, expence, and warfare.

Notwithstanding the nominal or pretended conquest of the whole kingdom of Ireland by Henry II. and the grant and confirmation thereof by the Popes Adrian and Alexander, the truth is, that the English power and authority during the reign of Henry II. was confined (and it so continued for above 400 years) to a certain district afterwards called the *Pale*. This comprized the counties of Dublin, Kildare, Meath, and Uriel, with the cities of Waterford, Cork, and Limerick, and the lands immediately surrounding them. Over the other parts of the kingdom, which were without the *Pale*, neither Henry II. nor any of his successors, until the reign of James I. either had or even pretended to claim more than a naked sovereignty, marked by nothing else than a formal homage, an inconsiderable tribute and an empty title. Infomuch that Sir John Davies says, that “†England never sent over either numbers of men or quantities of treasure sufficient to defend the small territory of the *Pale*, much less to reduce that which was lost, or to finish the conquest of the whole island.”‡ Accordingly the English adventurers governed their district by their own model; the native chiefs, though by far the greatest part of Ireland, acted independently of the

* It should not be forgotten, that the valiant Sir John de Courcy (afterwards made Earl of Ulster) rather upon a private adventure, than under any royal commission, made several successful inroads into that province, secured some posts on the coast, and was said generally, though improperly, to have made a conquest of the whole province.

† Dav. Disc. p. 69.

‡ Lel. 1. Vol. 154.

English government ; made war and peace ; entered into leagues and treaties, not only amongst each other, but with foreign powers ; punished malefactors, and governed by their own laws, customs, and constitutions.* It requires but moderate attention to the records of these times, to learn what degree of real power Henry had acquired in Ireland, and less skill in politics, to ascertain the rights he attempted to exercise over the English adventurers, or the native Irish in his federal transactions with each, whether we consider the grounds of his invasion, the nature and extent of their submissions, or the purport of his stipulations.

It was the ill fated policy of the English government of that day, not only not to coalesce and unite with the native Irish, but to go every possible length in fomenting and perpetuating dissension, animosity, and hatred between the two nations. "Hence it is," says Sir John Davies, than whose there cannot be better authority upon this point, "that in all the parliament rolls which are extant from the 40th year of Edward III. when the statutes of Kilkenny were enacted, to the reign of King Henry VIII. we find the degenerate and disobedient *English* called *Rebels* ; but the *Irish*, which were not in the king's peace, are called *Enemies*. Statute of Kilkenny, c. 1, 10, and 11. 11 Hen. IV. c. 24. 10 Hen. VI. c. 1, 18. 18 Hen. VI. c. 4. 5 Edw. IV. c. 6. 10 Hen. VIII. c. 17. All these statutes speak of *English Rebels*, and *Irish Enemies* ; as if the Irish had never been in the condition of subjects, but always out of the protection of the laws, and were indeed in a worse case than aliens of any foreign realm, that was in amity with the crown of England. For by divers heavy penal laws, the English were forbidden to marry, to foster, to make gossipies with the Irish ; or to have any trade or commerce in their markets and fairs. Nay, there was a law made no longer since than the 28th Hen. VIII. that the English should not marry with any per-

* There are early documents to prove that the very power which had assumed the right of commanding the Irish to receive Henry, and honorably reverence him as their Lord, considered in fact his power confined to the *Pale*. For by the commission of the Pope's legate in the time of Richard the First, whereby he had power to exercise his legatine authority, we find it confined to certain limits, viz. *in Angliâ, Walliâ, ac illis Hiberniæ partibus, in quibus Johannes Moretonii Comes potestatem habet et dominium*. Mat. Par. fo. 1519.—Henry II. gave the lordship or sovereignty of Ireland to his son John, created Earl of Moreton, and afterwards King. There are strong differences amongst historians concerning the nature of this grant. Richard was too much engaged in other pursuits to question it. And upon John's accession to the throne, all the rights of Henry concentrated in him as King of England.

son of Irish blood, though he had gotten a charter of denization, unless he had done both homage and fealty to the King in the Chancery, and were also bounden by recognizance in sureties to continue a loyal subject. Whereby it is manifest, that *such as had the government of Ireland under the crown of England did intend to make a perpetual separation of enmity between the English and the Irish.*" So far Sir John Davies up to his time; and would it could be truly added, that this system had never been kept up since that period; the union necessarily prevents it in future.

The same author, who was an Englishman, a servant of the crown, and a man well versed in the laws and constitution of England, gives further evidence of that pernicious principle of narrow, crooked, self-interested policy, acted upon by the servants of the crown in Ireland, in defiance of the more generous and liberal sentiments that prevailed on this side of the channel. In order to let in the full effect of his evidence, he first clears away the only objection that possibly could be raised against the Irish. Perhaps, says he, the Irishry in former times did wilfully refuse to be subject to the laws of England, and would not be partakers of the benefit thereof, though the crown of England did desire it; and therefore they were reputed *Aliens, Outlawes, and Enemies*. But the contrary was manifest, not only from the number of charters of denization purchased by individuals, but by the general petition preferred by the Irish to King Edward III. for a general naturalization act, in order to supersede the necessity of further letters of denization. The King was for it; but the baneful policy of the Irish government opposed it: this prince, like many of his successors, gave too easy credit to his distant servants, whose interest it was to deceive him. He satisfied his own conscience, by publicly referring the matter to his Irish counsellors, who, as Sir John Davies collects, advised the King, that *the Irishry might not be naturalized without damage or prejudice either to themselves or to the crown*. This feature in the Irish history particularly commands our notice: its singularity must furnish each reader with his own observations. Here was the voice of the Irish nation conveyed in respectful terms to the throne of England, praying for an union of laws and constitution, referred to an Irish parliament, and by them rejected.* *Hinc illæ lachrymæ!* Upon

* The authors of the Universal History say, that this application from the Irish was backed by an offer of 8000 marks to Ufford, then chief governor, for the king's use; and they observe, that "their desire was fatally counteracted by those, whose duty it was to promote a measure so well calculated for the benefit of their country."

this

this, says Leland, "the resentment of the Irish, naturally violent, and now
 "too justly provoked, broke out in an insurrection, projected with greater
 "concert, and executed with more violence, than for some time had been
 "experienced."

The reflections of Sir John Davies upon this state of the Irish, made about
 200 years ago, may be thought by some to depict the fatal policy of the
 English government towards Ireland with more faithful impartiality, than a
 modern writer would receive credit for. "This then I note as a great defect
 "in the civil policy of this kingdom, in that for the space of 350 years at
 "least after the conquest first attempted, the English lawes were not com-
 "municated to the Irish, nor the benefit and protection thereof allowed
 "unto them, though they earnestly desired and fought the same. For as
 "long as they were out of the protection of the lawe, so as every English-
 "man might oppresse, spoyle, and kill them without controulment, howe
 "was it possible they shoulde bee other then outlawes and enemies to the
 "crowne of England. If the King woulde not admit them to the condition
 "of subjects, how could they learn to acknowledge and obey him as their
 "Soveraigne? When they might not converse or commerce with any civill
 "men, nor enter into anie towne or citty without perill of their lives, whi-
 "ther should they flie but into the woods and mountains, and there live in
 "a wilde and barbarous manner? If the English magistrates would not rule
 "them by the law, which doth punish treason and murder and theft by
 "death: but leave them to be ruled by their own lords and lawes, why
 "should they not embrace their own *Brehon* law, which punisheth no of-
 "fence, but with a fine or erich? If the Irish bee not permitted to purchase
 "estates of freehold or inheritance, which might descend to their children
 "according to the course of our common lawe, must they not continue their
 "old custom of tanistrie, which makes all their possessions uncertayne, and
 "brings confusion, barbarism, and incivilitie? In a word, if the Englishe
 "woulde neither in peace govern them by lawe, nor could in warre roote
 "them out by the sword, must they not needes bee prickes in their eyes,
 "and thornes in their sides till the worlde's end?"

This blind infatuation of the English government in their conduct towards
 Ireland, is wholly unaccountable. For although they had not full possession
 of one third of the island, they cantonized the whole country amongst ten
 English families, and called themselves owners and lords of all. Nothing
 was

was left to be granted to or enjoyed by the natives: nor is there a record for the space of 300 years and upwards after the invasion, of any grant made to an Irish lord of any land, except a grant from the crown to the king of Thomond, of his land during the minority of Henry III. and the before-mentioned grant, or rather treaty with the king of Conaught. These English grantees became a new set of petty sovereigns to the irreparable damage of the country. And Sir John Davies assures us, that our great English lords could not endure that any kings should reign in Ireland but themselves: nay they could hardly endure that the crown of England itself should have any jurisdiction over them. They exercised all manner of royal jurisdiction and authority within their petty kingdoms more arbitrarily than any English monarch did over the kingdom.* No wonder then that this new race of English kings in Ireland should, as Sir John Davies further observes, oppose and resist every attempt of the English cabinet to admit the Irish into a full participation of our laws and constitution. For by these grants of whole provinces and petty kingdoms, these few English lords pretended to be the proprietors of all the lands; so that there was no possibility of settling the natives in any of their possessions, and consequently the conquest of the whole country became an absolute impossibility, otherwise, than by the utter extirpation of the whole native race of the Irish; which they were in fact unable, and probably from interested motives unwilling to do. The Irish, who inhabited the lands that were fully conquered and reduced, were in the condition of slaves and villeins, and thereby they rendered more profit to their lords, than if they had been free subjects of the king: and as these oppressive and rapacious sovereigns flattered themselves with the pleasing prospect of realizing their several grants to their full nominal extent, they looked eagerly to this profitable extension of vassalage and slavery, which would not take place if those out of the pale were once received into the king's protection and made liege men and free subjects. Thus early were the peace, welfare, and prosperity of the Irish nation sacrificed to the corrupt influence and interests of some few men in power.

The same author, than whom no man ever studied more the reciprocal interests of England and Ireland, tells us plainly, that this handful of

* The complaints of the abuses of these English settlers were emphatically compressed into this strong expression: *ipsis Hybernis Hyberniores.*

monopolizers of the whole power and profit of the nation opposed its union with England, because that “ woulde have abridged and cut off a great
 “ part of that greatness which they had promised unto themselves: they
 “ perswaded the King of England, that it was unfit to communicate the
 “ lawes of England unto them; that it was the best policie to hold them
 “ as aliens and enemies, and to prosecute them with a continual warre.
 “ Heereby they obtained another royal prerogative and power; which was
 “ to make warre and peace at their pleasure in every part of the kingdome;
 “ which gave them an absolute command over the bodies, lands, and goods
 “ of the English subjects heere. The troth is, that those great English lords
 “ did to the uttermost of their power, crosse and withstand the enfranchise-
 “ ment of the Irish, for the causes before exprest, wherein I must still
 “ cleare and acquit the crown and state of England of negligence or ill
 “ policy.”

So deeply rooted in the Irish nation was the spirit of irritation and resentment, that no public calamities, oppressions, or misfortunes could prevent their chieftains, lords, or petty sovereigns from continual feuds and wars with each other. This national misfortune was highly aggravated by the erection of these English sovereignties: for the same author informs us, that “ the power to make warre and peace did raise the English lordes
 “ to that height of pride and ambition, as that they could not endure each
 “ other, but grew to a mortal warre and dissention amongst themselves,
 “ as appeareth by all the records and stories of this kingdome.”

Not only the general state policy of England was misdirected and abused by the servants of the crown in Ireland, in order to encrease and perpetuate disunion and hatred between the two nations; but the very sources of justice and legislation were poisoned and corrupted to the same intent. We have the testimony of Sir John Davies, supported by several records of undoubted authority:* “ That the Irish generally were held and reputed
 “ aliens or rather enemies to the crowne of England; insomuch as they
 “ were not only disabled to bring anie actions, but they were so farre out
 “ of the protection of the lawe, as it was often adjudged no felony to
 “ kill a mere Irishman in the time of peace.” By the 4th chapter of the statutes made at Trim, 25 Hen. VI. (A. D. 1447) it was enacted, that if

* Dav. Disc. 102 & seq.

any were found with their upper lips unshaven by the space of a fortnight, (it was the Irish fashion to wear the beard on the upper lip) it should be lawful for any man to take them and their goods as Irish enemies, and to ransom them as Irish enemies. Another very singular statute was passed, to commit the punishment of offenders to every private liegeman of the king, without any reference to trial by judge or jury (28 Hen. VI. c. iii. A. D. 1450). It must have sorely aggrieved the Irish, when rewards were put upon their heads at the mere private surmise, suspicion, or personal resentment of any Englishman: for it was thereby enacted, that it should be lawful to every liegeman of our sovereign lord the king, all manner of notorious and known thieves, and thieves found robbing, &c. (which might not be so unreasonable as to murder by suspicion or reputation) to kill and take them without impeachment, arraignment, or grievance to him to be done by our sovereign lord the king, his justices, officers or any of his ministers for any such manslaughter or taking: and that every man should be rewarded for such killing or taking by one penny of every plough, and one farthing of every cottage within the barony where the manslaughter was done. This inhuman encouragement to murder was further increased by larger rewards given to those who should execute summary justice by their own fallible or corrupt judgments upon persons going to rob and steal, or coming from robbing and stealing: for by 50th Edw. IV. c. 2. (A. D. 1465) it was enacted, that it should be lawful to all manner of men that found any thieves robbing by day or by night, *or going or coming to rob or steal, in or out, going or coming*, having no faithful man of good name and fame in their company in English apparel, upon any of the liege people of the king, to take and kill those and to cut off their heads, without any impeachment of our sovereign lord the king, his heirs, officers or ministers, or of any others; and of any head so cut in the county of Meath, that the cutter of the said head, and his ayders there to him, cause the said head so cut to be brought to the portreeve of the town of Trim, and the portreeve to put it upon a stake or spear upon the castle of Trim, and that the said portreeve should give him his writing under the seal of the said town, testifying the bringing of the said head to him. And that it should be lawful for the bringer of the said head and his ayders to the same, to distrein and levy with their own hands of every man having one ploughland in the barony where the thief was so taken, two-pence; half a ploughland, one penny; and

and every man having a house and goods to the value of 40s. one penny; and of every other cottier having house and smoak, one half-penny. And if the portreeve should refuse such certificate, he was to forfeit 10*l.* recoverable by action. In passing an opinion upon this statute, it ought not only to be tried by the absolute and immutable rules of moral equity, but by the relative feelings and prepossessions of the Irish, whose Brehon institutions allowed all crimes, even *murder* itself, to be expiated by fine or *eric*.

Although the printed statutes of Ireland go not to so early a date, yet Sir John Davies quotes the famous statutes of Kilkenny, which are preserved in the castle at Dublin: they were passed in the 40th year of King Edw. III. (A. D. 1366) and although they were chiefly intended to correct the degeneracy of the English, yet had they the strongest tendency to aggravate the rancorous animosity of the two nations. In the 40th year of his reign “ King Edward held that famous parliament at Kilkenny, wherein many “ notable lawes were enacted, which doo shew and lay open (for the lawe “ doth best discover enormities) how much the English colonies were corrupted at that time, and doo infallibly prove that which is laide downe “ before: that they were wholly degenerate and faine away from their obedience. For first it appeareth by the preamble of these lawes, that the “ English of this realme, before the coming over of Lionel Duke of Clarence, “ were at that time become meere Irish in their language, names, apparell, “ and all their manner of living, and had rejected the English lawes and “ submitted themselves to the Irish, with whom they had made many marriages and alliances, which tended to the utter ruine and destruction of “ the commonwealth. Therefore *alliaunce by marriage, nurture of infants,* “ and *gossiped* with the Irish are by this statute made high treason. Again, “ if anie man of English race should use an Irish name, Irish language, or “ Irish apparell, or any other guise or fashion of the Irish, if he had lands or “ tenements, the same should be seized, till he had given security to the “ Chancery, to conform himself in all points to the English manner of “ living. And if he had no lands, his bodie was to be taken and imprisoned, “ till he found sureties as aforesaid.”

Imagination can scarcely devise an extreme of antipathy, hatred, and revenge to which this code of aggravation was not calculated to provoke both nations. One thing alone was left to fill the measure of calamity on one side, and oppression on the other. It was a system so grievous in its nature,

nature, that had it been confined to that disastrous period of the Irish history, I should have spoken of it with the same freedom I have used in narrating other barbarous usages, which civilisation and political liberality had long entombed: but recent revivals of this system of inhumanity render it prudent for a modern writer to use others rather than his own language in retailing these ancient enormities. * “ But the most wicked and mischievous
 “ custome of all others was that of *Coygne and Livery*, often before men-
 “ tioned: which consisted in taking of *mans-meate, horse-meate and money*
 “ of all the inhabitants of the country at the will and pleasure of the foldier,
 “ who, as the phrase of Scripture is, *did eat up the people as it were bread*,
 “ for that he had no other entertainment. This extortion was originally
 “ Irish, for they used to lay *bonaght* † upon their people, and never gave their
 “ foldier any other pay. But when the English had learned it, they used
 “ it with more insolency and made it more intollerable; for this oppression
 “ was not temporary, or limited either to place or time: but because there
 “ was every where a continuall warre either offensive or defensive, and every
 “ lord of a countrie, and everie marcher made warre and peace at his plea-
 “ sure, it became universal and perpetuall: and was indeede the most heavy
 “ oppression that ever was used in anie Christian or Heathen kingdom.
 “ And therefore *vox oppressorum*, this crying sinne did drawe down as
 “ great or greater plagues upon Ireland, than the oppression of the *Israelites*
 “ did draw upon the land of Egypt. For the plagues of Egypt though
 “ they were grievous, were of a short continuance: but the plagues of
 “ Ireland lasted 400 years together. This extortion of *Coygne and Livery*
 “ did produce two notorious effects. First, it made the land waste: next,
 “ it made the people ydle. For when the husbandman had laboured all
 “ the yeare, the foldier in one night did consume the fruites of all his labour,
 “ *longique perit labor irritus anni*. Had hee reason then to manure the
 “ lande for the next yeare, or rather might he not complayne as the
 “ sheperd in Virgil:

“ *Impius hæc tam culta novalia miles habebit ?*

“ *Barbarus has segetes ? En quo discordia cives*

“ *Produxit miseros ? En queis consecimus agros ?*

* Dav. Disc. 174, &c.

† *Free quarters* seems to be the modern appellation of this mischievous system of oppression; but unfortunately for Ireland, the reality has long survived its ancient appellation.

And

“ And hereupon of necessity came depopulation, banishment, and extirpation
 “ of the better sort of subjects, and such as remained became ydle and
 “ lookers on, expecting the event of those miseries and evill times: so as this
 “ extream extortion and oppression hath been the true cause of idlenesse in
 “ this Irish nation; and that rather the vulgar sort have chosen to be beggars
 “ in forraign countries than to manure their own fruitful land at home.
 “ Lastly, this oppression did of force and necessitie make the Irish a crafty
 “ people; for such as are oppressed and live in slavery are ever put to their
 “ shifts, *ingenium mala semper movent.*” * And in another place, this same
 author has spoken still more strongly upon this monstrous excess of in-
 humanity and impolicy. † “ In the time of King Edward II. Maurice Fitz-
 “ Thomas, of Desmond, being chief commander of the army against the
 “ Scots, began that wicked extortion of *Coygne and Livery and Pay*, that
 “ is: he and his army tooke horsemeate and mansmeate and money at their
 “ pleasure, without any ticket or any other satisfaction. And this was after
 “ that time, the general fault of all the governours and commanders of the
 “ army in this lande.” And ‡ “ By this it appeareth, why the extortion of
 “ Coygne and Livery is called in the old statutes of Ireland a *damnable*
 “ *custome*, and the imposing and taking thereof made *high treason*. And
 “ it is said in an ancient discourse *Of the decay of Ireland*, that though it
 “ were first invented in Hell, yet if it had been used and practized there, as
 “ it hath been in Ireland, it had long since destroyed the very kingdome of
 “ Belzebub.”

Doctor Leland, in our own days, speaks in the same spirit of that infamous
 and pernicious practice. § “ The compendious Irish method of quartering
 “ the soldiers on the inhabitants, and leaving them to support themselves
 “ by arbitrary exactions, seemed to have been pointed out by the urgent
 “ occasion, was adopted with alacrity and executed with rigor. Riot,
 “ rapine, massacre, and all the tremendous effects of anarchy were the

* Sir John Davies here further remarks, that the common people have a whyning tune or accent
 in their speech, as if they did still smart or suffer some oppression: and that this idleness, together
 with the fear of imminent mischiefs, which did continually hang over their heads, have tended to
 make the Irish the most inquisitive people after news of any in the world. One might have sup-
 posed Sir John Davies had seen at the close of the 18th century groups of idlers in the streets of
 Dublin, listening to and brooding over Saunders's journal.

† Day. Disc. p. 30, 31.

‡ Ibid. p. 33.

§ Lel. Hist. 1 vol. p. 280.

“ natural consequences. Every inconsiderable party, who, under the pre-
 “ tence of loyalty, received the king’s commission to repel the adversary in
 “ some particular district, became pestilent enemies to the inhabitants. Their
 “ properties, their lives, the chastity of their families were all exposed to
 “ barbarians who fought only to glut their brutal passions; and by their
 “ horrible excesses purchased the curse of God and man.”

Without passing in review the successive scenes of dissention, insurrection, perfidy, oppression, massacre, distress, and calamity which blackened the reigns of all our monarchs from the invasion to the reformation, certain it is, that this long space of nearly 400 years was (except in the moments of impotency produced by excessive violence on each side, and the delusive hours of actual perfidy or meditated treachery) one uninterrupted scene of discord, warfare, and wretchedness. This ill-fated people seems to have been devoted to the extreme tension of human misery. Every appearance of advantage was alternately taken by the English and the Irish to extend or contract the *pale*: success was various; though ravage, desolation, and famine invariably marked the progress of the conqueror. The most trifling differences and frivolous pretexts were greedily seized by the factious and irascible chieftains, whose passions more than interests kept their septs in continual wars with each other. Proud of independence, inflated with self-consequence, they seldom agreed with their neighbours, and never coalesced, but through weakness for protection, or through resentment to execute vengeance the more forcibly on their enemy. Private discord equally distracted the English cantonments or districts, as the old Irish septs. Every appearance, report, or even suspicion of dissention, weakness, or disorder within the *pale*, was the signal for the septs to fly to arms, and harass the English, of whom their hatred was truly implacable*. Every defeat of the English was followed up by an inundation of more formidable forces: the

* In proportion as national prejudice, antipathy, and hatred may be deeply rooted, is it important to consider the grounds from which they spring: and as, I presume, that it cannot be deemed unfair to trace them in the instance of Ireland, to that studied system of oppression and disunion into which England was betrayed, by the false representations of interested individuals, for the space of time comprised in this chapter, I refer my reader to that remonstrance of grievances set forth by the Irish, (App. III.) which certainly is the strongest picture of inveterate national hatred that has been handed down to posterity. It demonstrates, that difference of religion did not produce these evils, and that union alone is the effectual security against their repetition.

submission

submission of the Irish was often abject, always precarious and occasional: it never lasted longer than the English forces commanded a decided superiority. Famine, pestilence, and wars frequently brought this wretched people to the desperate necessity of feeding on grass, leaves, and the flesh of their fellow creatures. Such were the unceasing calamities, to which that unfortunate country was doomed, during the reigns of sixteen of our monarchs,* who held the British sceptre, from the invasion under Henry the Second to the reformation under Henry the Eighth; calamities evidently arising out of the internal divisions and national disunion and oppression of that kingdom.

* Viz. Henry II. Richard I. John. Henry III. Edward I. Edward II. Edward III. Richard II. Henry IV. Henry V. Henry VI. Edward IV. Edward V. Richard III. Henry VII. Henry VIII.

PART II.

OF THE STATE OF THE IRISH NATION FROM THE REFORMATION OF RELIGION UNDER HENRY VIII. TO THE REVOLUTION UNDER JAMES II.

CHAPTER I.

THE REIGNS OF HENRY VIII. EDWARD VI. AND QUEEN MARY.

SUCH is the variety, such the importance, and at the same time such the peculiarity of the events, which mark this period of the Irish history, that truth and candour are almost to be dreaded by the historian who seeks the approbation of the existing generation. We have seen how much the interests of Ireland have suffered from the ill-directed monopoly of the English influence and political power in that country, whilst they professed the same religion. A new scene now opens itself. The 20th year of the reign of Henry VIII. (A. D. 1528.) is properly termed the first year of the reformation of religion in England; and from this epoch are to be reckoned the many active and passive disasters that afterwards fell upon Ireland, whether they really arose out of the change of religion, or were ignorantly or maliciously attributed to such change. It has been too prevalent with most writers since the Reformation, to lay indiscriminately to the account of that great innovation in our national church, the various struggles, revolutions, and convulsions that afterwards happened in the state. An error pregnant with incalculable mischief! And what deviation from truth does not produce evil?

A variety

A variety of circumstances combined to render the English monarch at this time hateful rather than gracious to the Irish nation, which had no reference to or connection with religion. Leland, after Ware, and other annalists, represents the Earl of Kildare as confirmed in the Lieutenancy beyond the power of opposition; and that he used it without moderation or reserve. Instead of the state and dignity of a viceroy, he affected the rude grandeur of an Irish chieftain, and stood at the head of a wild and rapacious multitude of followers, to the annoyance and terror of those whom he was appointed to protect. The lords of the old Irish race, who had ever appeared the most unfriendly to the English government crowded round him, and were received as his kinsmen and associates. Two of his daughters were given in marriage to O'Connor of O'Fally, and O'Carroll, two powerful chieftains. The laws which prohibited such connections were treated with scorn, nor was the administration of government at all regarded, but as it contributed to establish his own personal influence and authority. The whole power of the pale, except the partisans of Kildare, were not only shut out of favour and countenance, but even protection. The enemies of his house within the pale were enflamed with indignation, and all the officers and dependants of the English government were terrified at a conduct which threatened utter subversion to the interests of the crown.

This powerful lord, who had now possessed the government of Ireland much longer than any of his predecessors in that important deputation, experienced in Cardinal Wolsey a mortal enemy; * and whether owing to the influence of the cardinal upon the mind of his royal master, or to the king's conviction of the guilt and malpractices of Kildare, he was remanded over to England without delay, under a peremptory mandate to commit the government to

* It is reported, that when Kildare had been most severely and insolently examined and arraigned at the council board, on his first confinement some years before, upon suspicion, by his implacable enemy Cardinal Wolsey, that prelate was extremely mortified and humbled at the manly and spirited reply of the earl, and that he so far gave way to his revenge, as to endeavour to have him taken off without any public trial, that he might no more offend the pride of the cardinal. He accordingly sent a mandate to the lieutenant of the tower for his execution on the next day, which was delivered to him whilst at play with Kildare. The lieutenant changed countenance, was challenged and worked upon by Kildare to reveal the contents of the letter, and persuaded to apply personally to the king, who disclaimed any knowledge of the order, and to check the sauciness of the priest as he termed it, gave a signet for a countermand, and released Kildare. Speed. 775. Cox. 220. Hence may be easily traced an aggravation of disaffection, and perhaps some disposition to revolt in Kildare.

some person in his absence, for whom he would be responsible: he unfortunately entrusted it to his son Lord Thomas Fitzgerald, a youth of inexperience and impetuosity, who had not yet attained his age of twenty-one years and who from his affability and personal accomplishments eminently commanded the affection of the multitude. It was known in Ireland, that Kildare had soon after his landing in England been committed to the Tower: and false reports were circulated, that he had been beheaded. They no sooner reached his son, than he instantly flew out into the most desperate rebellion, and was supported by numerous malcontents amongst the Geraldines, who had been previously supplied with arms and ammunition by Kildare before his departure, in contemplation of the probability of such an event. After various misfortunes and disasters produced by the misconduct and temerity of this Lord Thomas, the rebellion was suppressed under the administration of Sir William Skeffington; and O'Neal and O'Connor, who had joined in it, made their submission to the king. Lord Thomas himself had been promised his pardon, on condition of his making personal submission to the king. He went over to England in full confidence: he was however treacherously arrested on his way to Windsor, and committed to the tower, where he was soon after executed as a rebel and a traitor.* But the vengeance of such a prince as Henry was not to be appeased by a single victim. He affected to consider the suppression of the late rebellion as a new conquest of Ireland, and proposed it as a question to be debated in his council, whether he had not now acquired a right to seize at once on all the estates of this kingdom spiritual and temporal. But above all, he breathed the most infuriated revenge against the whole lineage of Kildare. Lord Gray, the new lord deputy, received orders from Henry to seize the five uncles of Lord Thomas Fitzgerald, and send them prisoners to London. Of these, three were known to have totally disapproved and opposed the insurrection of their nephew, and the whole number had reason to expect impunity from the treaty made with the rebels. But this confidence proved their snare. They accepted an invitation from Lord Gray to a banquet, an insidious and dishonorable artifice of that lord to get them into his power; they were first feasted with all the appearance of amity, then made prisoners and conveyed to London, where they all suffered the punishment of high treason. There was a younger branch of the family of Kildare, Lord Gerald, a youth under

* 2 Lel. 153.

twelve years of age, the brother of Lord Thomas: and the vengeance of the king pursued even this helpless and guiltless infant; but happily by the vigilance of his guardian he was secretly conveyed out of the kingdom, and at last safely committed to the protection of Cardinal Pole, then in Italy, who, in defiance of his declared enemy King Henry, received the young lord as his kinsman, educated him suitably to his birth, and by his favor and support preserved him to regain the honors of the family of Kildare.* This tyrannical and treacherous conduct of King Henry towards one of the first families in Ireland is conclusive evidence, that he was little suited to gain favor with the Irish, either within or without the pale, in the work of reformation, which he had now taken in hand.

A party was formed of the most powerful servants of the crown, who were enemies to Kildare. At the head of these was Allan, archbishop of Dublin, the deprived chancellor. He had been trained in the scene of political intrigue under his patron Wolsey: he had served him as judge in his legatine court with an attention and assiduity neither upright nor honorable: and though accused of misdemeanor and dismissed from his office, he was still protected by the cardinal, and proved an useful and active agent in his favorite scheme of the suppression of monasteries. Wolsey's death had given great assurance to Kildare, but his creature Allan retained all his master's rancour against the Geraldines. It was at last resolved to commission the Master of the Rolls in the name of the lords of the council (for the major part concurred in the measure) to repair to England, and lay the state of the country before the king, and implore the royal interposition. The representation made to the king by the agents of these lords, will further prepare our minds to judge

* The Earl of Kildare is said to have died in prison through grief at hearing of his son's defeat, &c. "Thomas late Earl of Kildare was with some others attainted for the insolencies he had done during his deputyship: which act was repealed in the 11th of Queen Elizabeth, the Earl of Kildare's brothers and sisters being thereby restored to their blood, as in King Edward VI. his reign: Gerald (Earl Thomas his brother) was restored to his ancient inheritance, and by Queen Mary, May 14, 1554, to his honor and the Barony of Offaly, who returning the same year into Ireland was received with great applause by the people, though his brother had been beheaded and five uncles hanged at Tyburn, February 3, 1537." *Borl. Red. of Ireland to the crown of England* 104. The same author 105 informs us "that this Lord Gray was in the year 1541 beheaded on Tower hill, about June 25, for having, as it was conjectured, joined with Cardinal Pole and others of the king's enemies, notwithstanding his good service, &c." He did not long survive his treachery.

fairly and impartially of the disposition of the Irish nation to submit to the power and adopt the system of reformation proposed by Henry.

The Master of the Rolls opened his commission by representing to his Majesty the confined extent of the English laws, manners, language, and habit, at length reduced to the narrow compass of twenty miles: the melancholy consequence of those illegal exactions and oppressions, by which the English tenantry had been driven from their settlements: the grievous tribute, which the remains of these loyal subjects were obliged to pay the Irish lords for a precarious protection: the enormous jurisdictions granted to the lords of the English race, that favoured their oppressions, and stopped the course of justice: the rabble of disaffected Irish settled purposely on their lands, whom they oppressed with impunity, and whom they found their readiest instruments for oppressing others: the negligence of the king's officers in keeping the records: their unskilful conduct in the exchequer: but above all the alienation of the crown lands, which reduced the revenue to a state of dangerous insufficiency, and left the realm without succour or resource. Many of the public disorders they ascribed to a too frequent change of governors: entreating the king's highness that for the future he would be graciously pleased to entrust the charge of his Irish government to some loyal subject sent from his realm of England, whose sole object should be the honor and interest of the crown, unconnected with Irish factions, and uninfluenced by partial favor or aversion.*

Henry, though impetuous and ungovernable in his passions, wanted not penetration to see the weakness of his power over the Irish, who in their present situation were rather to be soothed by policy, than compelled by force into the adoption of his measures. His mind was now bent upon the most effectual means of introducing the reformation into Ireland. This was a work not to be effected by the terror of that artillery, with which the Lord Deputy Skeffington daunted and dispersed the undisciplined and tumultuary army of O'Connor before Maynooth,† and with which he carried

* This state of grievances most singularly coincides with others of later dates: for it is a melancholy truth, that for want of an incorporate union with England, this country has been doomed for centuries to suffer a similarity, as well as continuance of oppression.

† This army consisted of about 7000 men, with which Dermot O'Connor Don had supplied Lord Thomas Fitzgerald: it flattered the vanity, and gratified the feelings of this old chieftain, that a lord of the pale, then an exile in his territory, should apply for succour against the English government. O'Neil also had joined his forces with those of O'Connor.

terror through the nation. Whilst Henry was elated at the general and prompt compliance with his scheme of reformation in England, he resolved to extend it yet further and gain a reception for the new doctrines in Ireland. Accordingly, Lord Cromwell, who upon the death of Wolfey had succeeded to as much of his prince's favors, as Henry would again bestow upon a subject, in his quality of vicar general in spirituals, appointed George Brown, the provincial of the Augustine Friars, who had been prominently conspicuous in preaching up the reformation in London, to succeed Allan in the archiepiscopal see of Dublin. He was sent over with other commissioners, specially instructed and appointed to confer with the clergy and nobility, in order to procure a general acknowledgement of the king's spiritual supremacy.* But the task was found more difficult than the impetuosity of the king, or the fastidious contempt, which the English minister entertained of this country, permitted them to suspect. The Irish had aboriginally been enthusiastically tenacious of their religion, and of the sacredness of the rights and character of it's ministers. Accordingly, as Leland after Ware observes, when Europe had almost unanimously declared against the yoke of ecclesiastical power, a slight attempt made in one province of Ireland to circumscribe the privileges of the clergy raised a most violent and insolent clamor among the order, although it amounted to nothing more than empowering the civil magistrate to imprison ecclesiastical debtors. "And, had," continues the learned doctor,† "the generous policy prevailed of collecting all the inhabitants into one body of English subjects, a union and pacification of ages must have prepared the people for the reformation now proposed."

‡ No sooner had the commissioners appointed by the king explained their instructions, and demanded an acknowledgment of his supremacy, than Cromer, primate of Armagh, an Englishman by birth, and who had sometimes held the office of chancellor, openly and boldly declared against an attempt so impious. Disgust at being removed from his office, and resentment at the severity exercised against the family of Kildare, his friends and patrons, might be supposed to have had some share in this opposition, were it necessary

* Usher, Ware, Cox, Leland, Crawford, &c.

† 2 Lel. 158.

‡ For very obvious reasons I have chosen to follow Dr. Leland's account of the Effect of Archbishop Browne's Mission to Ireland.

to recur to worldly motives to explain it. He summoned the suffragans and clergy of his province: and to those whom he could collect, he pathetically represented the danger, which now threatened the religion of their ancestors: exhorting them to adhere inviolably to the apostolic chair, by such arguments and motives as were suited to their understandings. He reminded them, that their country had been called in the earliest ages the Holy Island; a convincing proof that it ever was and is the peculiar property of the holy see, from which the kings of England derive their lordship. He enjoined them by his spiritual authority to resist all innovation, as they tendered their everlasting felicity: and pronounced a tremendous curse against all those, who should sacrilegiously acknowledge the king's supremacy. In the mean time he dispatched two emissaries to Rome, to represent the danger of the church, and to entreat the interposition of the pontiff in defence of his rights and interests in Ireland.

This spirited opposition of the most eminent amongst the Irish prelates, enlivened the zeal and vigor of the friends of Rome. Henry and his minister seem to have imagined, that no one could have presumed to attempt the least resistance to his royal will in a point, which had been already solemnly decided and established in England. His agents were probably possessed with the same idea. But to their utter mortification, the king's commission was treated with indifference and neglect; and his vicar, on account of the meanness of his birth, became even a subject of popular ridicule.* Archbishop Browne, with the assistance of some of his suffragans, laboured in support of the commission: but he was treated not only with disdain but outrage, and his life was exposed to danger from the opponents of the reformation. Such at least were the apprehensions he expressed. He informed Lord Cromwell of his bad success, and the opposition of Cromer: represented the melancholy situation of ecclesiastical affairs in Ireland; the extreme ignorance of the clergy, incapable of performing even the common offices, and utter strangers even to the language, in which they celebrated their mass; and the furious zeal of the people, whose blind attachment to Rome was as determined, as the constancy of the most enlightened martyrs to the true religion, who exulted in expectation of effectual support from the pope,

* Archbishop Browne in one of his letters to Lord Cromwell, tells him with an awkward and uncourtly simplicity, the "country folk here much hate your lordship, and despitefully call you in their Irish tongue, *the blacksmith's son*."

and

and that he would engage some of the old chieftains and particularly O'Nial, the great dynast of the north, to rise in defence of their religion. He recommended, as the most vigorous and effectual method of procedure, that an Irish parliament should be assembled without delay, which, like the English legislature, might by law enforce a general acknowledgment of the king's supremacy, so as to terrify the refractory and to silence their opposition. This advice was approved: and the Lord Gray, who was still engaged in suppressing the disjointed relicts of the Geraldine rebellion, received a commission to summon a parliament, which was accordingly convened at Dublin on the first of May 1536.

So limited at this time was the jurisdiction of the Irish parliament, or to speak more properly, of the provincial assembly of the pale, that the master of the rolls reported to the king, that his laws were not obeyed twenty miles from his capital. Yet did Henry successfully exert every device of art and power to render the members that composed it ductile and subservient to his dictates. The transactions of the late parliament at Westminster were holden out to the members convened, as a model of the ordinances the king expected at their hands. Therefore, as to all the acts which concern the reformation of religion, the Irish statutes are mere transcripts of the English acts upon the same subjects. The king was declared supreme head on earth of the Church of Ireland: all appeals to Rome in spiritual causes were taken away: the English law against slandering the king in consequence of these innovations was enacted and confirmed in Ireland, together with the provisions made in England for payment of first fruits to the king: and not only of the first fruits of bishopricks and other secular promotions in the Church of Ireland; but by another act he was vested with those of abbies, priories, colleges, and hospitals. By a further act the authority of the bishop of Rome was more solemnly renounced, and the maintainers of it in Ireland made subject to a *præmunire*. All officers of every kind and degree were required to take the oath of supremacy: and every person who should refuse it was declared, as in England, guilty of high treason. All payment of pensions and suing for dispensations and faculties to Rome were utterly prohibited, by adopting the English law made for this purpose, and accommodating it to Ireland. By one act twelve religious houses were suppressed: by another the priory of St. Wolstan's was particularly suppressed; and the demesnes of them all were vested in the crown.

As

As to the right of inheritance and succession of the lordship of Ireland, they pronounced the marriage of the king with Catharine of Arragon to be null and void, and the sentence of separation by the archbishop of Canterbury to be good and effectual. They declared the inheritance of the crown to be in the king and his heirs by Queen Ann (of Boleyn): they made it high treason to oppose this succession, misprision of treason to slander it; and appointed an oath of allegiance to be taken by the subjects of Ireland for the sure establishment of it under the penalties of misprision of treason. But scarcely had this act been passed, when intelligence arrived of the condemnation and death of Ann Boleyn, and the marriage of the king with the Lady Jane Seymour. With the same ease and compliance with Henry's wishes, they followed the servile corruption of the English parliament, and instantly repealed their late act, and passed an act of attainder on the late Queen Ann, George Boleyn, Lord Rochford, William Brereton, and Mark Smeaton, who had been accused as accomplices in the supposed guilt of that unhappy lady. Both the former marriages of Henry were by this new act declared null and void: the succession was new modelled, and declared to be in the king and his heirs by the Lady Jane, his then queen; and, in default of such heirs, the king was empowered to dispose of the inheritance of the lordship of Ireland (as of the crown of England) by letters patent, or by will.

Other acts were made for the encrease of the king's revenue, and the internal regulation of the Pale. The usual subsidy of 13s. 4d. on every plough land was granted for ten years. The lands and honors of the Duke of Norfolk and other absentees were vested in the king, and one twentieth part of every spiritual promotion was granted to him for ever. All pensions paid by the king's subjects to any Irish sept were utterly abolished; the ancient laws against marrying and fostering with the Irish were revived in all their severity; and the use of the English order of living, habit, and language, were strictly enforced throughout the Pale. It was provided, that no ecclesiastical preferment should be conferred on any, who did not speak the English language, unless after three solemn proclamations none so qualified could be found; that an English school should be kept in every parish; and that such as could not pay for the education of their children at such school, should be obliged to employ them from the age of ten years in trade or husbandry. To prevent waste of lands, either by the suppression of monasteries or attainder of rebels, commissioners were appointed to grant leases of all crown lands;

lands ; and others for pardoning any persons concerned in the late rebellion, who should submit within a given time, except such as had been attainted by name. These were named in the very first act of this parliament, intituled, *An act for the attainder of the Earl of Kildare and others.*

Such were the laws which this corrupt and servile parliament passed to gratify the resentment, lust, avarice, and ambition of Henry.* Ingenuity could not have devised a collection of laws more emphatically calculated to render the English power contemptible and odious to the Irish nation. This policy of the English, to discourage all connexion of the colony with the native Irish, it has been lately observed,† was not “ to be reconciled to any principle of sound policy : it was a declaration of perpetual war, not only against the native Irish, but against every person of English blood, who had settled beyond the limits of the Pale, and from motives of personal interest or convenience had formed connections with the natives, or adopted their laws and customs ; and it had the full effect, which might have been expected : it drew closer the confederacy it was meant to dissolve, and implicated the colony of the Pale in ceaseless warfare and contention with each other, and with the inhabitants of the adjacent districts.”

As the religion professed by those within and those without the Pale was at this time one and the same in every respect, an observation of the same illustrious personage, to whose authority I have just referred, applies indiscriminately to both ;‡ *it was equally hopeless and impolitic to call upon the people at once to abjure the religion of their ancestors, and to subscribe to new doctrines.* Accordingly, says Dr. Leland,§ the laws for the regulation of the Pale, and even those which declare the right of succession to the throne, were received without opposition. But those relative to ecclesiastical jurisdiction had all the violence of religious enthusiasm to encounter. The Romish party had collected their adherents, and were prepared for a vigorous contention. The two proctors from each diocese, who had usually been summoned to parliament, composed a formidable body of ecclesiastics, avowed

* This tyrannical monarch had equally subdued our own parliament in England, when he forced from them that iniquitous law, that gave to a royal proclamation the full effect of an act of parliament.

† Speech of the Earl of Clare in the Irish House of Lords on the 10th February, 1800, p. 5.

‡ Same speech, p. 7.

§ 2 Lel. 165.

adherents to the holy see. They claimed to be members of the legislative body, and to have a full right of suffrage in every public question: it therefore became necessary, before the act of supremacy should be proposed, to define their rights. It was declared by a previous act, that their claim was presumptuous and groundless; that they were summoned merely as counsellors and assistants, (as the King's judges and other learned men had decided) and that from the first day of that parliament they should be accepted and taken as counsellors and assistants only, whose assent and concurrence were by no means necessary to any parliamentary transaction.*

Although the partizans of Rome were thus deprived of the assistance of so powerful a body, yet when the act of supremacy came to be proposed, Lords and Commons joined in expressing their abhorrence of the spiritual authority assumed by the King, whilst the ministers of the royal party were equally determined in defence of it. Archbishop Browne took the first part in supporting the propriety of this act, by such arguments as probably had their weight upon his own mind, and were more likely to influence his hearers, than those of greater force and solidity. He pleaded the authority of the Popes themselves against the usurpation of Rome; so that in asserting the king's supremacy, he claimed no more than what Eleutherius, bishop of Rome, had granted to Lucius, the first Christian King of the Britons: but the argument he concluded with, was most likely to confound opposition; he pronounced those, who made any difficulty of concurring with him, to have no right to be regarded or treated as loyal subjects.† Fear served to

* This act, intituled, *An Act against Proctors to be any Member of the Parliament*, was passed, and by a retrospective operation from the first day of the sessions, disqualified this large body of two clergymen from each diocese, who had been regularly summoned to parliament, from voting as they usually had at all times done. By the act they are assimilated to our English convocation, that usually meets at the same time as the parliament. The reason why the English members of the convocation had no vote in parliament was, that at that time they taxed themselves, and formed a sort of third estate, representing the ecclesiastical property of the nation, which reason would give them a right to vote in the Irish parliament, because in that country there was no convocation. However, their expulsion from parliament, whether right or wrong, was to answer the designs of Henry, and must have tended to irritate a nation, which ever held the ministers of their religion in the highest estimation.

† In this he adhered closely to the spirit of the act, which makes the refusal to swear to the supremacy an act of high treason. This curious specimen of Archbishop Browne's eloquence is to be seen in Sir R. Cox, 1 vol. 249.

allay the violence of such as could not be persuaded ; and the most determined partizans of Rome were obliged to reserve themselves for a clandestine opposition to the execution of a law, which they could not prevent from being enacted.

At this period of the Irish history, the whole Irish nation, within and without the Pale, was Catholic. Archbishop Browne and the other commissioners, together with the ministers and royal party, whom they had gained over to the reformation, were the only Protestants in the country. The hand of power was therefore called in to compel submission to these acts thus forced upon the nation. The royal party, who had possessed themselves of the reins of power within the Pale, aware of the consequences of their abusing it, ere the session was over, passed a special act, to make it felony to attempt to invalidate any of the laws passed during this session of the parliament. And no wonder, as Leland observes, that to these vigorous counsels and decisions of the legislature, it was at this time peculiarly necessary to add an extraordinary vigilance and activity in the field. It was obvious to foresee, that religious controversy must aggravate and protract the disorders so long and so grievously experienced in this country. Rightly then was it said, **At this time a new schism arose, which has been the bane and pestilence of Ireland.* The question of papal authority threatened to divide those, who had hitherto been most united ; and whilst the king's subjects within the Pale, who disapproved the late regulations, were thus in danger of being seduced from their allegiance, at the same time a new bond of union was formed amongst the old Irish chieftains. Formerly to their petty *septs* (called *nations*) their views had ever principally been confined : then their temporal interests were separate, and their mutual enmities frequent, fierce, and rancorous. But now the defence of their ancient religion was inculcated as the cause of all, and afforded a new pretence for insurrection ; a pretence which operated so powerfully upon the Irish, that it seemed almost for the time to have absorbed the other numerous and heavy grievances, which Henry had accumulated upon their nation. Whoever makes the fair allowances for the workings of those principles and opinions, which have been inculcated into

* Lord Clare's speech, 7. In this instance we may be allowed to hope, that the noble Earl was less accurate in predicting the future than in rehearsing the past : for he continues, " It has rendered her a blank amidst the nations of Europe, and will, I fear, long continue to retard her progress in the civilized world."

the pliancy of early youth, and which in every stage of life have been enforced and revered as the first concern of man; whoever views a people of high national honor, filled with the pride of ancestry, enthusiastically devoted to the ministers of their religion, of quick sympathy and thoughtless impetuosity; whoever considers that a small number of invaders had, for centuries, claimed the sovereignty of the whole, and by force, oppression, and terror actually kept possession of the select parts of their country, must necessarily perceive the effects which human nature, ever uniform in her operations, must have produced under these circumstances of provocation and oppression. Every part of the system was calculated for ends diametrically opposite to those of union. Archbishop Browne, the great agent of the Irish Reformation, found the utmost difficulty even in the seat of government to counteract the secret practices of Cromer and his party. The very clergy of his cathedral opposed his attempt to remove their images and relics, and had sent a special emissary to Rome to express their devotion to the holy father, and to implore his interposition in support of his spiritual authority in Ireland.* So ignorant were the Romish partizans of the inflexible and determined spirit of Henry, that they addressed themselves to the Duke of Norfolk, and hoped by his mediation to divert the king from his scheme of reformation in Ireland. Several of the most respectable incumbents of the diocese of Dublin chose to resign their benefices rather than acknowledge the king's spiritual supremacy: nor did the new regal archbishop dare to fill their vacancies, till he had consulted his patron Lord Cromwell. He repeated his complaints to this minister of the difficulties he experienced from the ignorance and obstinacy of the clergy, with an insinuation, that he was

* No motive that can be conceived to estrange the Irish from the English at this time was omitted; nothing neglected that could tend to provoke insurrection, or ensure its punishment. The Irish annalists tell us, that those who were commissioned to enforce the spiritual supremacy of the king, seized the most valuable utensils and furniture of the churches, which they exposed to sale without decency or reserve. Lord Gray burnt the cathedral of Down, and destroyed the ancient monuments of the Saints Patrick, Bridget, and Columbkille. The crucifix of the abbey of Ballibagan, and the celebrated crozier believed to have belonged to St. Patrick, which the natives at all times held in great relative veneration, were indignantly committed to the flames as objects of superstitious idolatry. The violence done by one party to the feelings and favorite prepossessions of the other, superadded to numberless provocations and insults, produced collisions in the body politic that threatened its very existence.

not as strenuously supported by government as the critical occasion required. This archbishop (as from his conventual habits was to be expected) was slightly conversant with the practical delusions and intrigues of cabinets and courts. Expecting when he undertook this mission, that his zeal and enthusiasm for reform would have been backed by all the energy of the state, he sorely lamented his disappointment, and in a letter to his patron he said, "the viceroy is of little or no power with the old natives, therefore your lordship will expect of me no more than I am able." This prelate was sent as it were on a single combat against the whole hierarchy of the Irish church: true it is, that he commanded all the lures and incentives that the state could furnish, and his apprehensions of the effects of forcing the natives to relinquish their own, and adopt another system of religion, have been forcibly felt after the lapse of more than two centuries; and are thus expressed by Dr. Leland.* "Ever since the first settlement of the Englishmen in Ireland, the old natives have always been desirous of some foreign power to support and govern them: and now both English and Irish sacrifice their private quarrels to the cause of religion, and seem on the point of forming a dangerous confederacy, which some foreigner may soon be invited to lead against the English government."

Nearly four centuries had elapsed since the invasion of Ireland by the English; this whole space of time had been a chequered scene of arrogant oppression or servile humiliation; intemperate conquest or calamitous defeat; rancorous perfidy or hostile outrage. Fierce, cruel, and vindictive as the Irish were to each other, never till now did religion afford fuel to insurrection. Immorality, sloth, ignorance, perfidy, cruelty, and incontinence had been their mutual recriminations: both professed the principles, from which these were deviations: they both agreed in faith and communion upon spiritual points; but on temporal differences, they fought, betrayed, and massacred each other. But from the introduction of the reformation into Ireland, we are to look for religious differences superadded to the former seeds of internal dissensions.

O'Nial, O'Bryan, and several other Irish chieftains of less repute made the defence of their religion the cause or the pretext for rising in arms against the English government. They failed, and submitted to Henry; and their

* 2 Leland, p. 171.

examples were followed by several other native dynasts. Henry began to learn by experience, that his power over the Irish would encrease more rapidly by grace and favors, than by severity and force: he therefore adopted a new system; he held out every encouragement to the native chieftains to submit to his government; he bestowed favors, honors, and titles upon several of the chief families of those who came in, and induced them to resort to his court, where he honoured them with particular marks of attention, and loaded them with presents.*

These new lords thus constituted peers of parliament, and members of the Irish council, were to be allured to an intercourse with the king's servants, and habituated to an attendance on the state, so as to preserve (at least exteriorly) their attachment, and reconcile them to English government. For this purpose the king granted to each of the new earls a house and lands near Dublin, for their more convenient attendance on the lord lieutenant and parliament. They, as well as many other of the principal chieftains, surrendered their possessions into the king's hands, and accepted of fresh grants of them from the crown of England to be holden by military service. The Reformation made considerable progress with the great, who had something to gain by it; but it advanced more slowly, as it ever since has done, with the lower orders.†

To

* Uliam de Burgo was created earl of Clanricarde and baron of Dunkellan: Murrough O'Brien earl of Thomond and baron of Inchequin; and his son Connor baron of Ibracken: O'Nial renounced his name, promised to follow the English manners and laws, and accepted of the title of earl of Tyrowen; and his son was by the same patent created baron of Dungannon.

† The observations of those, who remark that the bulk of the Irish nation adhere to their ancient faith more from fashion, prejudice, and influence, than from conviction, are futile in the extreme. No nation was so systematically devoted as the Irish to the will, dictates, and example of their chieftains. At present almost the whole of the nobility and gentry of Ireland are protestants, and above two-thirds of the population are catholic. Not only a very severe code of penal laws has long pressed upon these lower ranks of society as well as upon the higher orders; but from the beginning of the Reformation, over and above these statute laws, we find the great men of the nation who followed the example of Henry in renouncing the See of Rome, armed with the most arbitrary powers, and obliging themselves to exert them in exterminating such of their vassals, clans, or sects, who should refuse to follow their example of conformity. We are informed that O'Connor, and O'Dwyn or Dun, and O'Donnell covenanted with Henry, on the 6th of August, 33 Hen. VIII. (A. D. 1542.) by their separate indentures, that "they would renounce, relinquish, "and annihilate, according to their abilities, the usurped authority and primacy of the Roman "pontiff; and by no means receive, protect, or defend those who should adhere unto him; nor
"suffer

To second the disposition of the Irish, which now appeared favorable to peace, and to give weight and brilliancy to the English government, it was resolved to change the style of *Lord of Ireland*, with which the crown of England had hitherto been contented, to that of *King*. It was resolved in the English cabinet, that the Irish parliament should confer the title of King of Ireland upon Henry, and his heirs.* St. Leger was commissioned to summon a parliament; and by the first act thereof it is enacted, that forasmuch as the king, and his progenitors, ever rightfully enjoyed all authority royal by the name of *Lords of Ireland*, but for lack of the title of king were not duly obeyed, his highness, and his heirs for ever, should have the stile and honor of *King* of Ireland, and that it should be deemed high treason to impeach that title, or to oppose the royal authority. Some salutary statutes regulating the process of law were enacted in this session of parliament; and an excellent law was passed relative to elections of members to serve in parliament, by which it was enacted, that those who were in future to have a right of voting were to be possessed in freehold of forty shillings a year; and that such as were elected for counties, cities, and towns, should be resident in the places, for which they were elected. This was a most wise ordinance in order to keep alive the true spirit and duty of the elected; as strangers and non-residents never can so well know, much less attend to the interests of their electors, as those who live amongst them. In this parliament an act was also passed for the suppression of Kilmainham and other religious houses, and in furtherance of the Reformation upon the †free surrenders and grants of

“suffer them, or any of them, to exist in their country, but would, with all industry and diligence, expell, eject, and exterminate them and every of them, and force and compell them to submit themselves to the lord the king and his successors.” It is said, that Hugh O’Kelly, abbot of Knockmoy, submitted also in this form; as did likewise O’Rourke, M’Donnel, and M’William, on the 18th of May, 1543. Other forms may also be seen in Sir R. Cox, 1 vol. p. 273. This example however, it is admitted on all hands, has been followed by, comparatively, few. This sharp-edged sword of persecution put into the hands of individuals, was little calculated to promote the union of the country.

* The collation of this royal dignity by the Irish nation alone, is a proof and a full recognition by England, of the absolute sovereignty and independence of the Irish nation.

† This act was announced with great joy and exultation, and was followed up with a royal proclamation, to be seen in the Appendix, No. IV.

Henry, in order to carry the objects of this parliament, had made his terms with several from whom he expected opposition: immediately before the first session, he created John Rawson, late prior

of the superiors. The county of Meath was divided into two shires, for a reason, which proves what a little way from the capital the jurisdiction of parliament, and the English law, and the authority of the crown then actually extended.* Meath was divided into two counties, viz. East and West Meath. One act however was passed in this parliament which, most injudiciously, tended to create fresh jealousies, and alienate the affections of the Irish. It was enacted, that on the death, resignation, or recall of a deputy, the chancellor should issue writs to the privy counsellors to assemble and chuse for governor, during the king's pleasure, a layman of English birth, and if none such could be procured, two laymen of English blood and surname to be lords justices, to whom the lord chancellor should administer the oath and give patents. This distinction in favor of the English to the exclusion of the Irish, foreboded ill to the interests and prosperity of Ireland. To the Irish at least it must have appeared evident, that men born and having property in that country, who had a natural interest in, and therefore a necessary knowledge of the people, laws, and constitution, and who commanded every opportunity of observing circumstances that affected them, were the persons the most natural, most proper, and best qualified to preside in the government.

Notwithstanding these acts of the Irish parliament went generally to affect the whole kingdom, yet so sensible were the legislators themselves of the difference between such nominal acts and efficient laws, that this very parliament settled some ordinances of state for the regulation of such parts of the kingdom as were without the Pale. These were not entirely consonant

prior of Kilmainham, viscount Clantarfe; Edward Butler, baron of Dunboyne; Bernard Fitzpatrick, baron of Upper Ossory; Sir Oliver Plunket, baron of Louth; William Bermingham, baron of Carbury; and Thomas Eustace, viscount of Baltinglass. Thus peerages and promotions were dealt out with a prodigal hand, and in order to raise an emulation in all who had the power of thwarting his measures, the king caused it to be proclaimed in parliament, that it was his royal intention to confer more: thus pointing out unlimited devotion to his wishes as the sure and only road to preferment.

* For as much as the shire of Meth is great and large in circuit, and the west part thereof laid about and beset with divers of the king's rebels, and that in several partes thereof the king's writs, for lacke of ministration of justice, have not of late been obeyed, ne his grace's lawes put in due exercise: and that the said sheriffe of the said shire (being one of the Pale) is not able to execute the king's procefs and precepts, &c. *Preamble of the Act.*

with

with the English laws, but such as might tend to the gradual reformation of those, who (as the preamble of these ordinances expresses it) were not “so perfectly acquainted with the laws, that they could at once live and be governed by them.” They were published by way of proclamation, on the 12th of July, 1542.* And although no attempts were as yet made to introduce any new system of jurisprudence into other quarters of the island, yet a number of commissioners were appointed for each province, who were to exercise the office of the ancient Brehons, to hear and decide occasional controversies, or refer them to the deputy or council, where the cause was perplexed or the parties obstinate.†

Ere we conclude the reign of Henry, under which such vast changes were attempted in Ireland, we cannot better view the civil state of the nation at the close of his days, than in the perspective given of it by Sir John Davis:‡
 “For all this while, the provinces of Conaght and Ulster, and a good parte
 “of Leinster, were not reduced to shire ground. And though Mounster were
 “anciently divided into counties, the people were so degenerate, as no justice of assize durst execute his commission amongst them. None of the
 “Irish lords or tenants were settled in their possessions by any graunte or
 “confirmation of the crowne, except the three great earls before named;
 “who, notwithstanding, did govern their tenants and followers by the Irish

* They were called temporary constitutions made by the lord deputy and council in *magno parlamento pro reformatione habitantium hujus regni in partibus Momoniæ qui nondum sic sapiunt leges et jura, ut secundum ea jam immediate vivere aut regi possunt*. Any public act of parliament to this effect would have been inconsistent with the statutes published in the 33d of Henry VIII. therefore this half-measured compromise came out as an act of the deputy and council, and was notified to the subject by way of proclamation. For the ordinances, vide App. No. V.

† Sir John Davis gives us the names of these commissioners, whom he calls *Orderers or Arbitrators*, who, instead of these Irish Brehons, should heare and determine all their controversies. In Conaght—the Archbishop of Tuam, the Bishop of Clonfert, Captain Wakeley, and Captain Ovington. In Munster—the Bishop of Waterford, the Bishop of Cork and Ros, the Mayor of Corke, and the Mayor of Youghall. In Ulster—the Archbishop of Ardmagh, and the Lord of Lowth. *Disc. p. 243-4.*

‡ *Disc. p. 247.* I am ever happy to recur to his authority: of which the most learned Irish antiquarian of latter days (Thomas O'Connor) said, that the Discovery of Sir John Davis is incomparably the most valuable work on the subject. It is contracted within a small compass, but indeed superior to all the rest united, for obtaining a just idea of the civil evils, which by a necessary recoil bring on a remedy, and force the worst state of things into a better. *Pref. to the Ogygia vindicated.*

or

“ or Brehon law, so as no treason, murther, rape, or theft, committed in those
 “ countries, was enquired of or punished by the law of England.” And he
 also remarks: “ That the abbies and religious houses in Tyrone, Tirconnel,
 “ and Fermanagh, though they were dissolved in the 33d year of Henry VIII.
 “ were never surveyed nor reduced into charge, but were continually pos-
 “ sessed by the religious persons until the reign of James I.”

In this state of things, O'Neal, O'Donnell, O'Dogherty, and some other Irish chieftains, either repenting of their too hasty submission, or weary of their dependance upon the English, proposed terms to the French king to become his subjects, on condition of his sending over a sufficient force to enable them to shake off the English yoke. Francis the First sent over the Bishop of Valence to reconnoitre and report to him the situation of the country, and the probability of expelling the English. This prelate found the chieftain of Tyrconnel and some other of the Irish dynasts to whom he applied, either so staunch to their engagements with Henry, or so averse from submitting to a foreign yoke, that the French monarch declined engaging in the affair. On the other hand the Irish shewed themselves ever ready to fight the battles of England; and Henry was attended to the siege of Bologne by a considerable body of Irish infantry, who distinguished themselves by their activity and prowess.* The enemy was astonished at the agility with which they made incursions for several leagues into their country, and the ferocity with which they attacked, seized, or destroyed all they met. Henry, by his wars on the continent and other expences, having exhausted his treasury, adopted a measure which rendered him unpopular even with his own subjects of the Pale; for as yet those without it could not be so called. He ordered base money to be coined in Ireland, and stamping it with a nominal value, he made it current, to the great injury of the people, especially of the foldiers.

The short reign of our infant Edward was considered, by Sir John Davis, to have been of such slight importance to the elucidation of this part of the

* It is recorded of this Irish brigade, that when they ranged the French country, which is open and unclosed, they carried with them a bull, which they tied to a stake, and then surrounded it with fire: the bellowing of the animal, as the fire scorched him, brought all the cattle within hearing to the spot, where they were made a prey of. As they gave no quarter to the enemy, the French gelded and otherwise tormented such of them as fell into their hands.

Irish history, that in his Discovery of the true Causes why Ireland was never entirely subdued, nor brought under Obedience to the Crown of England until the beginning of the Reign of James I. he wholly omits any mention of it. There is, however, one feature to be traced in it, that strongly marks the pernicious and fatal consequences of thwarting the dispositions, exciting the disaffections, and encroaching upon the native rights of the Irish people. This ill-fated principle of anti-union was not only productive of oppression and calamity to Ireland, but of loss, detriment, and disgrace to England itself. *Feriant sua tela nocentem.*

Immediately upon the demise of Henry, O'Moore, O'Byrne, O'Connor and some other chieftains shewed themselves in arms, hoping to take advantage of the weakness of the English government during the infancy of the monarch. But they were subdued by Sir Anthony Bellingham, who had been seasonably sent over with a reinforcement of 400 foot and 600 horse. Some time after the Earl of Desmond proving refractory and turbulent, was surprized in his house by the deputy and carried prisoner to Dublin. Sir Anthony Bellingham, instead of punishing him, so worked upon him by reason and mildness, that Desmond made sincere atonement for his crime, and was released upon giving sureties for his future good conduct: he continued a peaceable and loyal subject to his death.* The administration of Bellingham, though honorable to himself and serviceable to the crown, was soon put an end to through jealousies and intrigues: he was accused of not effectually supporting the English interest, and of other malpractices: he was recalled to take his trial in England, but died before it came on, having first indignantly rejected terms of compromise from his accusers.†

In Ireland, says Leland,‡ the Reformation was tendered to a prejudiced and reluctant people. The avowed enemies of English government, and the factious opposers of English administration naturally regarded every new regulation in the affairs of religion, as arbitrary, oppressive, and injurious, and seized the occasion of inveighing against such offensive exertions of authority. The more peaceable, who had never been accustomed to a serious discussion of the great points in controversy, rested indolently upon the

* Desmond after his release daily prayed for the deputy by the name of the good *Bellingham*.

† Ormond his prime accuser was soon after poisoned with sixteen of his retinue at a feast at Ely House in Holborn: but whether by accident or treachery was never discovered.

‡ 2 Lel. 192.

antiquity (as it is called) of the former establishments, and in this relaxed state of mind, were stricken with great terror at the denunciations of divine vengeance, thundered out by the friends of Rome against heresy and innovation. The vindictive character of Henry VIII. and the rigor of his government, had driven many of the pale as well as of the Irish race, to formal professions and condescensions, which the very ease and readiness, with which they were made, shew to have been made without due attention and serious conviction. The authority of a minor king was less esteemed or dreaded, at the same time, that the requisitions now to be made were more extensive and did greater violences to the popular prejudices. The protector Somerset having successfully proceeded with the work of the reformation in England, was resolved, that the Liturgy of the Church of England should, as well as other new ordinances concerning religion, be introduced into Ireland. Orders were accordingly sent over to convene a parliament for this purpose: but, whether from the apprehension of a violent opposition to the measure, or from what other cause, the design of convening an Irish parliament was laid aside, and the royal proclamation was transmitted, addressed to the clergy and enjoining the acceptance of the new Liturgy. This innovation in religion was unexpectedly and most violently opposed by Dowdall of Armagh, the new primate, who had been promoted to that dignity by the king. Besides Archbishop Browne four only of the Irish bishops* submitted to the proclamation: and these five were not supported by their own clergy. The new Liturgy was performed for the first time on Easter Sunday, A. D. 1551, in the cathedral of Christ Church Dublin, in the presence of the deputy, magistrates, and the few of the Dublin clergy that had then conformed. Soon after this a most injudicious measure was adopted, that could but tend to ulcerate the public mind already tenderly sore upon the subject of religion. A public conference, or rather a theological disputation, was holden in St. Mary's abbey, between *Dowdall*, on behalf of the catholic, and *Staples* of Meath, on behalf of the reformed religion. This spiritual tournament produced it's natural and usual effect: each champion claimed the victory, each party retired with encreased acrimony against the other. The bulk of the nation adhering to their ancient faith, the cause of religion became the cause of the nation; and it fatally seemed, as if the English government

* Viz. Staples of Meath, Lancafter of Kildare, Travers of Leighlin, and Coyn of Limerick.

were predetermined not only to oppress, but to irritate the people of Ireland.

*Doctor Leland informs us, that at this time John Bale, the violent and acrimonious impugner of popery, was nominated to the see of Offory. His rigid and uncomplying spirit appeared immediately on his consecration. Even the weak among the new reformed, were terrified, and the Romish party held this spirited and turbulent enemy, in the utmost abhorrence. His learning, which was stupendous, compared with that of his Irish brethren, promised to do considerable service to the reformation in Ireland, and even the vehemence of his temper seemed well suited to the place and circumstance of his mission. But the truth is, that the business of religious reformation in Ireland, had hitherto been nothing more, than the impositions of English government, on a people vehemently addicted to their ancient worship; not sufficiently obedient to the English government, but slightly impressed with fear, and in no degree reconciled by kindness. Bale, insulted the prejudices of his flock without reserve or caution. They were provoked, and not so restrained or awed by the civil power, as to dissemble their resentments. During the short period of his residence in Ireland, he lived in a continual state of fear and persecution. On his first preaching the reformed doctrines, his clergy forsook him or opposed him; and to such violence was the populace spirited up against him, that five of his domestics were slain before his face: and his own life was saved by the interposition of the magistrate.

As a mean of establishing the tranquillity of Ireland on a more permanent basis, warm applications were made by the deputy to the English cabinet for an extension of the English law to the Irish natives, throughout the kingdom. But they were not attended to. Times and circumstances were altered. When the power and possessions of the Irish were confined within much more limited bounds, when they smarted under the various oppressions of the adventurers from Britain, they desired, they entreated, they offered to purchase the participation of the English law. Their sentiments were changed with their circumstances: and they had relapsed into all their innate prepossessions in favor of their ancient institutions. The late attempts to force them to renounce their ancient faith, which they had received from St.

* 2 Lel. 200.

Patrick, and to adopt a new system of religion with an English ritual, naturally connected themselves with the national prejudices, against English oppression; and cooperated in raising the insurrection of Tyrone, for the suppression of which, we must look to a later period of the Irish history. This nobleman, notwithstanding the fulness of his late submission, and his acceptance of an English title, retained all his native predilections for the greatness and regal splendor of his family. He had once pronounced a curse on those of his posterity, who should conform to the English manners, or associate with the Saxon race. With this he was often upbraided by his kinsmen and followers; and finding the Irish nation now more estranged than ever from the English government, by their recent attempt to force them out of their religion, he chose this as the most favorable moment to shake off the trammels of allegiance, and revert to the ancient consequence and independence of O'Nial.

The unexpected death of Edward VI. and the short reign of his sister Mary, gave a temporary respite to the troubled state of Ireland, as far at least, as it depended upon England. But inasmuch as all the measures of the British cabinet in the former reign which affected Ireland, related solely to the ecclesiastical system: so the principal effect of the accession of Queen Mary to the throne of her ancestors was, that she first by a proclamation counteracted, and did away whatever innovations had been introduced into the ecclesiastical establishment, by the proclamation of her infant brother. She then convened a parliament, which repealed all the acts of her father touching religion, which had been passed after the twentieth year of his reign, and the civil establishment of the catholic religion was precisely restored to the state, in which King Henry VIII. had found it on the demise of Henry VII. The Protestant bishops were deprived, and Catholic bishops substituted to their sees. The possessions of the church, which had passed into lay hands, were confirmed to the possessors, as they were in England, by the concurrent approbation of the lords, spiritual and temporal, the sovereign, and the pope. This parliament of the 3d and 4th of Phillip and Mary, began with declaring that the queen had been born in lawful wedlock, and therefore annulled and repealed all sentences of divorce, and all acts passed in the reign of Henry, by which the succession to the crown had been settled to the prejudice of Mary. They adopted the proceedings of the English parliament for ascertaining such offences against the king and queen, as
should

should be deemed treason; and for the government and administration of the realm by their issue.

Besides the acts passed in this parliament for the restoration of the civil establishment of the Catholic religion, others were passed for the civil government of the realm.* The usual subsidy, and for the usual term, was granted to the queen for the special purpose, as the act expresses it, of enabling her Majesty to expel the Scotch islanders, who had emigrated from their own country as an avowed band of mercenaries. These adventurers having come over upon the speculation of profiting of the internal dissensions of the Irish chieftains, were open to whichever party held out the most lucrative terms. Their numbers were so considerable, and their outrages so alarming, that it was declared to be high treason to invite them into Ireland or to entertain them, and felony to intermarry with them without licence of the lord lieutenant. The advantages gained by the Earl of Suffex over the two most powerful septs of Leinster, the O'Moors, and the O'Connors, enabled the English to extend the pale, by reducing their territories of *Leix*, and *Offaly* into two counties: they were by act of parliament vested in the crown and converted into shire land. *Leix* was denominated the queen's county, and its principal fort was stiled *Maryburgh*: and with a like compliment to her royal consort, *Offaly* was called the king's county, and its fort was called *Phillipstown*; "which," as Sir John Davis observes, "were the two first counties, that had been made in this kingdom, since the 12th year of King John." And he continues. "This noble earle having thus extended the jurisdiction of the English into two counties more, was not satisfied with that addition, but took a resolution to divide all the rest of the Irish counties unreduced into several shires: and to that end he caused an act† to passe in the same parliament, authorizing the lord chancellor from time to time to award commissions to such persons, as the lord deputy should nominate and appoint to viewe and perambulate those Irish territories; and thereupon to divide and limit the same into such and so manie

* Borlase in his *Reduction of Ireland*, p. 117, says that the Earl of Suffex passed many acts to the benefit of the nation, and returned into England December 4, 1557.

† To shew the precarious title of the crown out of the pale, the preamble of this act particularly recites, that as these territories were known not to be within any shire of the kingdom, no title for the king could be found, as will be seen at large in the 1st Section of 2 Chap. of 3 and 4 P. and M. App. No. VI.

several

“ several counties, as they should thinke meete; which being certified to the
 “ lord deputie and approved by him, should bee returned and enrolled in
 “ the Chancery, and from thenceforth be of like force and effect, as if it
 “ were doone by act of parliament. Thus did the Earle of Suffex lay open a
 “ passage for the civill government into the unreformed partes of this king-
 “ dome; but himself proceeded no further than is before declared.”

So confident was the English government of the tranquil and pacific disposition of the Irish in this reign, that the queen ordered the army to be reduced to 500 men; but that was not thought reasonable in Ireland. However, in order to comply as far as circumstances would allow with her majesty's orders, the army was reduced to 600 foot, 460 horse, and some few kerns.* The turbulence, however, of the Irish chiefs, and their incessant wars with each other, and the refractory and lawless conduct of the Scottish adventurers, rendered it necessary to encrease the army with fresh reinforcements from England. Although the Irish were, in general, highly gratified by the restoration of the Catholic religion to its ancient footing in this reign, yet were they not altogether satisfied with the civil administration of the power of the crown within their kingdom. They were particularly sore at the power vested in the Lord Lieutenant, to dispose of the territories of *Leix* and *Offaly* in grants at the royal pleasure, in violence to the rights of those natives, to whom those lands had hitherto belonged. So that O'Sullivan, the Irish annalist, plainly avows, that notwithstanding her zeal for supporting and promoting the Catholic religion, yet was her administration injurious to Ireland.†

* Light infantry.

† *Quæ tametsi Catholicam religionem tueri et amplificare conata est, ejus tamen præfecti et conciliarii injuriam Ibernis inferre non desisterunt.* Sull. Cath. Hist. p. 82.

CHAPTER II.

THE REIGN OF ELIZABETH.

UPON the demise of the crown in 1558, Queen Elizabeth found the Irish nation more tranquil and submissive to the English government than it had been under any of her predecessors. She prudently continued the Earl of Suffex in the Lieutenancy, who was very acceptable to most of the natives, and had, with a garrison of 320 horse and 1360 foot, kept Ireland in a peaceable and quiet condition.* Yet, notwithstanding the general disposition of the nation to be submissive to the English government, none of the provinces were altogether free from the disorders of internal dissention. It may be naturally presumed, that much of the pacific conduct of the Irish during the short reign of Mary, was attributable to the general satisfaction, which the redintegration of the civil establishment of the Catholic religion afforded to the nation at large. But no sooner had Elizabeth declared for the Reformation, than general discontent pervaded the whole nation within and without the Pale. Amongst the first instructions sent to Lord Suffex, written in Cecil's own hand, were directions to make a survey of all lands, both spiritual and temporal, that no lands should be letten but upon the best survey, and that the lands of Leix and Offaly should be disposed of to tenants and their heirs male, to the best advantage of the queen and the country. "He had it also (says Borlase) in charge strictly to look to the Irish, "who, being a superstitious nation, may easily be seduced to rebellion, "through the practices of the French (then at difference with England), "under pretext of religion." Every province was soon thrown into a state of commotion or disposed to insurrection. Munster was distracted by the inveterate enmities and animosities of the O'Brians, Thomond, Desmond, and Ormond. Connaught was miserably harrassed by the feuds subsisting between Clanricarde and another sept of the De Burghos. In Leinster, the survivors of the old families of Leix and O'Fally considered themselves de-

1 Borl. Red. p. 121.

prived of their inheritances, by an iniquitous scheme of fraud and treachery, supported by power, violence, and oppression: they were stimulated by revenge and a spirit of reprisal to rise in arms, and seize every opportunity of harassing and despoiling the grantees of their lands. The North was threatened with the most formidable insurrection from John O'Nial; who, upon the death of his father in confinement at Dublin, now claimed the royal sovereignty of the whole province of Ulster.

In this situation of affairs, Elizabeth's first concern was to spread the influence of the reformed religion through Ireland, as she had successfully done throughout England; not only as to the spiritual supremacy, which alone her father had attempted, but as to several dogmatical points of faith. Conscious that this innovation would be strongly opposed even by a parliament of the Pale, she gave special instructions to her lieutenant to prædispose the members to the measure, and ordered writs to be issued to the representatives of ten counties; whereas for a long series of years they had only been issued to six. Being tolerably sure of a majority in both houses, a parliament was convened in the second year of her reign; by which it was enacted, that the spiritual jurisdiction should be restored to the crown: that all the acts of her sister Mary, by which the *civil establishment* of the Roman Catholic religion had been restored, should be repealed: that the queen should be enabled to appoint commissioners to exercise *ecclesiastical* jurisdiction: that all officers or ministers, ecclesiastical or lay, should on pain of forfeiture and total incapacity take the oath of supremacy: that every person, as well as his aider, abettor, or counsellor, who should in any way maintain the spiritual supremacy of the Bishop of Rome, should forfeit for the first offence, all his estates real and personal (or be imprisoned for one year if not worth 20*l.*), incur a præmunire for the second offence, and become guilty of high treason for the third offence: that the use of the Common Prayer should be enforced as in England: that every person should resort to the established church, and attend the new service under pain of ecclesiastical censures, and of the forfeiture of twelve-pence for every offence, to be levied by the church-wardens by distress of the lands or chattels of the defaulter: that the first fruits and twentieths of all church revenues should be restored to the crown; and the old writ and form of *congé d'élire* should be superseded by the king's letters patent, by which in future all collations to vacant sees should be made. These ordinances were followed by an act of recognition of

the queen's title to the crown; and it was made a case of *præmunire* to speak, and treason to write against it.

So much had Suffex been alarmed by the opposition he had encountered in parliament,* though he ultimately succeeded, that he found it necessary quickly to dissolve it. He repaired to England to give to the queen, in person, a minute and faithful account of the reception these new laws had met with from the Irish nation. The immediate effects of this parliament are thus described by Dr. Leland.† “ The people were particularly provoked
“ by the violence offered to their religious prejudices. The partizans of
“ Rome inveighed against the heretical queen and her impious ministers.
“ The clergy, who refused to conform, abandoned their cures; no reformed
“ ministers could be found to supply their places; the churches fell to ruin;
“ the people were left without any religious worship or institution, even
“ in places of most civility; and the statutes lately made were evaded or
“ neglected with impunity.”

In this general discontent of the nation, the whole kingdom was for several years convulsed, either with the internal feuds and wars of the chieftains with each other, or the grand insurrection of O’Nial, that ended by his treacherous murder at a banquet in the camp of the Scotch adventurers. In order to put an end to the factions and disturbances of the nation, to provide for the necessities of government, and forward both the civil and ecclesiastical reform of the nation, Elizabeth, in the eleventh year of her reign, convened another parliament, which continued by several prorogations to the thirteenth. This parliament, like most other parliaments of Ireland, amidst some plausible and beneficial acts contrived to pass others,

* It sat from the 12th of January to the 12th of February.

† 2 Lel. p. 226. We have a very fair and candid judgment of recent authority, for the impolicy and injustice of the system of government carried on in Ireland, under Queen Elizabeth.
“ It seems difficult to conceive any more unjust or impolitic act of government, than an attempt
“ to force new modes of religious faith and worship by severe penalties, upon a rude, superstitious,
“ and unlettered people. Persecutions or attempts to force conscience will never produce conviction. They are calculated only to make hypocrites or martyrs: and accordingly the violence
“ committed by the regency of Edward, and continued by Elizabeth, to force the reformed religion
“ on Ireland, had no other effect, than to foment a general disaffection to the English government;
“ a disaffection so general, as to induce Philip II. of Spain to attempt partial descents on the
“ Southern coasts of this island, preparatory to his meditated attack upon England.” *Speech of Lord Clare in the Irish House of Lords, 10th of February, 1800, p. 9.*

which

which in their nature could but increase the disaffection of the people, and consequently operate to the prejudice of both kingdoms. Such must ever be the effect of the unconstitutional formation of a parliament for the base purpose of giving legislative sanction to unjust measures.* Whilst the English government pursued a system so glaringly opposite to the will of the Irish people, and consequently destructive of their peace and welfare, a strong opposition was to be expected from every member, who had not already betrayed his country through fear, or sold it for lucre. The intentions of government had been foreseen, and the utmost efforts openly exerted to strengthen their interest: for this purpose, considerable management had been used, and even great irregularities committed in the elections and returns of the commons. Stanihurst, recorder of Dublin, and Sir Christopher Barnewall, a favorite of the old English race, were proposed, by their respective partizans, for the office of speaker; and the election of Stanihurst, by the influence of the court, served to enrage the party in opposition. Barnewall, who was esteemed for his political knowledge, insisted that the present House of Commons was illegally constituted; on this ground, he opposed the admission of any bill, and was supported by Sir Edmond Butler and the whole of the real landed interest of the kingdom. In proof of the assertion, it was alledged, that several were returned members for towns not incorporated; that several sheriffs and magistrates of corporations had returned themselves; but above all, that numbers of Englishmen had been elected, and returned as burgesses for towns, which they had never seen or known, and consequently could not be considered residents, as the laws directed. Four days were spent in clamorous altercation; the discontented members declaring, with great violence, against receiving any bill, or proceeding on any business. The speaker attended the lord deputy and council, to explain their objections to the constitution of the house. The judges were consulted, and they declared, that those returned for towns not incorporated, and the magistrates who had returned themselves, were incapable of sitting in parliament: but as to the members not resident in the towns for which they

* It has often been said that England could never be ruined but by a parliament. And there has been too much reason for many late assertions, that Ireland could not be saved whilst it had a parliament.

† I have followed Dr. Leland (2 vol. p. 241) in describing this early essay of legislating by a sure majority.

were returned, that they were entitled to retain their seats, and that the penalty of returning them should alight on the respective sheriffs: a decision which still left the government that majority of friends, which so much pains had been taken to procure; and which consequently increased the violence of the opposite party. Nor did the clamor cease until the judges came to the commons house, and there avowed their opinion; when Barnewall and his party reluctantly acquiesced, and reserved themselves for a vigorous contest against the measures of those, whom they regarded as an *English faction*.

Amongst the Englishmen returned to this parliament, was Mr. Hooker,* member for Athunree; he was also a member of the English parliament, and acquainted with the order and usage of its proceedings; he affected to be highly scandalized at the tumult and irregularity of the Irish commons, but was himself most violent in his opposition to Barnewall and his party. He broached some doctrines upon the royal prerogative, which though familiar in England, were yet novelties to the native Irish, who, looking up to the ancient constitution, were as yet neither dazzled by the splendor of a court, nor terrified by the peremptory decisions of an imperious monarch. It raised a flame so violent, that the assembly was adjourned in confusion, and Hooker retired under protection of a guard to his house. This violence having abated after some days they proceeded to business.

It is to be presumed, that had there not been so formidable an opposition, more acts would have been passed to forward the Reformation. One statute only, and that in the fourth session, was passed which concerned religion, by which the governor was empowered to present to all the dignities of Munster and Connaught for ten years, in consequence of abuses by presenting improper persons. *The Act for the Attainder of Shane O'Neile, and the extinguishment of the name of O'Neile, and the entitling of the Queen's Majesty, her heyres and successors, to the county of Tyrone, and to other countries and territories in Ulster* (11th Eliz. C. 1. Sess. 3.), seems to have been pointedly calculated to insult the feelings of the Irish nation, and consequently to enflame their animosity and rancor. It enumerates all his acts of outrage and rebellion in a stile of vindictive acrimony, and in order to expose the futility of the pretences of this, or any Irish family to sovereignty in Ireland, it affects to deduce the title of the English monarch

* To him we are indebted for these particulars.

to the absolute sovereignty of the whole kingdom of Ireland as paramount even to the Milesian race of kings:* setting forth a fabulous tale of one King Gurmonde, son to the noble King Belan of Great Britain, who was Lord of Bayon in Spain, as many of his successors were to the time of Henry II. who possessed the island *afore the coming of Irishmen into the said lande*. This was a most wanton act of violence offered to the feelings of a people, singularly proud of their royal lineage and ancestry, and by public institution scrupulously chaste as to the fidelity of their national traditions. Nothing short of a wish to goad them into rebellion, could have so effectually spirited them up to it, as thus kindling the flame of patriotism by a collision with their national honor.

Aversions and affections are usually reciprocal. Elizabeth was hated by the generality of the Irish, and she as cordially detested them. The insurrection of Desmond, Clanricarde, and other chieftains, kept the country in a constant state of warfare. The unsuccessful attempts of Sir Thomas Smith, and afterwards of the queen's prime favorite the Earl of Essex†, to establish an English settlement in Ulster upon the forfeited lands, greatly exasperated the queen. In the indulgence of her resentment she afforded new grounds of disaffection even to her own subjects within the Pale. She ordered Sir William Sidney, her lieutenant, to impose by the mere authority of council a new tax, by way of composition for the charge of purveyance, which amounted to about twelve pounds for every plough land. A general and violent discontent was the immediate consequence of this act of government, which was followed up by a remonstrance to the lord lieutenant against a system of taxation so oppressive and unconstitutional. Sydney persisted in supporting the prerogative, by which he contended the queen had a right to impose the tax; but offered to moderate it. Opposition in a cause so popular gained daily accession of strength: the principal lords through all parts of the realm refused obedience to the edict of council, and enjoined

* For this curious abstract of the queen's title to all the land in Ireland, vide the Appendix No. VII. as it is recorded in the statute.

† Few circumstances so truly delineate the spirit and power of an enemy, as the unreserved and confidential reports of the person who has to oppose them, in communications, which are not intended for the public eye. The letter of Essex to the queen will let us into more light upon the state of the English power in Ireland at this time, than the most elaborate representations of cotemporary, much more of modern authors. Vide App. No. VIII.

their

their tenants and dependants to refuse payment of the assessment. The inhabitants of the Pale finding no redress from their governors, assembled, deliberated upon their grievances, and resolved to depute three confidential agents or commissioners to procure redress from the queen. They presented to her Majesty a written memorial of their case signed by the Lords Baltinglass, Delvin, Hoath, Trimblestowne, and Bellew, Mr. Nangle, some of the families of Plunket, and Nugent, with other distinguished inhabitants of the counties of Meath, and Dublin, in the names of all the subjects of the English pale. In lieu of redress, of which the agents were confident, they were by order of the queen committed to the Fleet Prison as contumacious opposers of the royal authority: she also sent orders to Sydney to confine every person, who should offer any opposition or remonstrance against the new imposition, and dismiss from their offices all her servants and counsellors learned in the law, who had been present at the original complaint, and neglected to maintain her royal prerogative. Some gentlemen of the first distinction again remonstrated against this unconstitutional mode of taxation: and insisted upon paying no tax not legally imposed by parliament. They were instantly committed to close confinement in the castle: and the agents in England upon a second application to the throne were removed from the Fleet to the Tower; a proceeding which implied that their offence was considered to be of a treasonable nature. The whole body of Irish subjects took the alarm, and the unanimity of their voice even terrified this arbitrary monarch. Both agents and remonstrants were ungraciously dismissed, upon making an acknowledgment, that they intended not to resist any just prerogative of the crown. This forced submission of the imperious queen to the rights of her Irish subjects was probably wrung from her by the intelligence she had received of the intentions of the King of Spain to invade her kingdoms, in retaliation for her fomenting and supporting the insurrection of his rebellious subjects in the Netherlands. Applications also had been frequent and urgent from the Irish chieftains to the court of Rome, for succours to enable them to shake off the English yoke and preserve their ancient religion.

The insurrection of Desmond was not yet subdued: and a band of private adventurers, partly Spanish, partly Italian, and partly Irish, who had instigated them to the enterprize, landed a body of about 600 men on the coast of Kerry: they brought with them ammunition and arms for 5000 men:
and

and took possession of the fort of Smerwick, which the Spaniards had begun to erect but left unfinished. They were not joined as they expected by the Irish: being overpowered by numbers they surrendered at discretion: and horrible to relate, every individual except the commander and his staff, after having laid down their arms, was massacred in cold blood. This military butchery was committed under the orders of Sir Walter Raleigh, who commanded the besieging force: it was attempted to be justified by the imperious circumstance of an inferiority of numbers on the side of victory: and the queen is reported to have strongly reprobated the measure, when informed of it. It was however followed up with as much increased rancor and virulence against the queen, as if she had with her own hand signed the mandate for this bloody execution, after a solemn treaty upon oath, that the foreigners should be permitted to depart unmolested with all the honors of war.

Although the insurrection of Desmond were now nearly suppressed, yet such was the fatality of Ireland, that she was ever to be a stranger to the enjoyment of national peace and tranquility: for scarcely could the olive branch be distinguished through the turbulent atmosphere of blood and slaughter, ere she were again provoked by the excessive rigor of her governors into fresh outrages. The Baron of Lixnau openly appeared in arms and was quelled: he pleaded that he had been irritated into rebellion by the galling oppressions of Grey and his officers. In this instance the cry of grievance was not unattended to: policy created justice: Lord Grey was recalled: and a general amnesty offered to such of the rebels, as would accept of it. The queen had been for once truly informed, that if her governor continued to tyrannize with such barbarity, little would be left in Ireland for her majesty to reign over, but ashes and carcases.

The dissatisfaction of the Irish at the attempts to force the reformed religion upon them, and the excommunication of Elizabeth by Pius the Fifth, afforded a popular pretext for any rising against the government: the queen however was resolved to profit of the first appearance of tranquility to convene a parliament. Desmond had been found in a retired cabin and beheaded by a common soldier; and Baltinglass had fled in despair into Spain; Sir John Perrot the deputy had by his activity brought the nation into a more general disposition to loyalty, than had been manifested at any time since the accession of Elizabeth to the throne. It was the pride of
Sir

Sir John Perrot to diffuse a spirit of submission and conformity to the English government, laws, and customs amongst the native Irish. To this parliament were summoned all the Irish chiefs, and many of them attended: but being so differently constituted, government could not expect from it* the same ductility they had experienced from the last. No attempt was even made in support of the new religion. The first part of the business of the session was a motion from the court party for a suspension of Poyning's law, which was negatived by the opposite or country party; these gentlemen, particularly from the experience of the late parliament, were little disposed to invest the governor with a power of assenting to any laws, which might be procured in parliament: not having been yet broken in to the systematic support of measures by anticipation, they brought with them a very strong, though natural, jealousy and suspicion, that administration meditated some scheme of oppressive and extraordinary taxation. In this spirit they also opposed some other of the transmitted bills: even that for the renewal of the ordinary subsidy of 13s. 4d. for every plough land. They most determinedly rejected a bill for vesting in the queen the lands of traitors without office or inquisition, or even to declare those traitors, who should rebelliously detain any of her castles. The minister of the crown finding the parliament in a disposition to maintain the rights of Ireland against all demands and instructions from England, prorogued it after a short session of contest and opposition.† The second session of this parliament was begun on the 26th of April 1586, and with much difficulty was the bill for the attainder of Desmond passed. The grand object of this bill was the forfeiture of his vast possessions, which were then computed at 574628 Irish acres. In order to prevent this forfeiture, a feoffment from Desmond of all these lands previous to his treason was produced by one of the members, who was a Geraldine. The house was at first embarrassed, and about to acquiesce in the validity of the instrument, when the original of an association was produced of a date prior to that of the fraudulent grant, to which the name of this Geraldine was subscribed, and which expressly avowed the

* The Annals of the Four Masters give the names of many of the Milesian families that attended this parliament, which was the first that extended beyond the Pale. Vide Appendix, No. IX.

† Two acts were only passed in this first session, viz. for the attainder of Lord Baltinglass, and reversing that of Lord Walter Delahyde.

defiance

defiance and opposition of it's members to the queen's government.* The bill then passed without further opposition for the attainder of Desmond and about 140 of his accomplices, and all their honors and estates were declared to be forfeited to the crown. This also gave occasion to another bill for annulling any such fraudulent conveyances in future. Some other bills of regulation were passed, particularly that for the impost and custom of wines, which had been thrown out in the former session.† From this time is to be dated the commencement of that unparalleled system of confiscation and depopulation, which being in its nature diametrically opposite from that of union pointedly marks the evils, which so long afflicted Ireland from the want of this salutary measure.

In order to extirpate the aboriginal owners of the soil, transpose the property and alter the very face of the country, Elizabeth now entered upon her favorite scheme of planting or repeopling Munster with an English colony. Letters were written to every county in England, to encourage younger brothers to become undertakers, or adventurers in Ireland. Estates were offered in fee at a small acreable rent of three-pence, and in some places two-pence, to commence at the end of three years; and one half only of these rents was to be demanded for the three following. Seven years were to be allowed to complete the plantation. The undertaker for 12000 acres was to plant eighty-six families on his estates; those who engaged for less seignories, were to provide in proportion. None of the native Irish were to be admitted among their tenantry. And amongst other advantages, they were assured that sufficient garrisons should be stationed on their frontiers, and commissioners appointed to decide their controversies. Sir Christopher Hatton, Sir Walter Raleigh, Sir Thomas Norris, Sir Warham Saintleger, Sir George Bouchier, and a number of other gentlemen of power and distinction received grants of different portions.

In Connaught another system was pursued, which tended proportionally to sharpen the rancour of the people against the government. The sheriffs and other officers of justice, who had been admitted by the burghers, followed the example of the lord president, and acted not only with rigor, but with

* In order to shew the nature and grounds of this insurrection of Desmond, the form of the association is given in the Appendix, No. X, and also a letter from Desmond to Ormonde.

† As a proof of the humour of these times, they passed an act against witchcraft and sorcery.

imperiousness. They entered the several counties, attended with large bodies of armed men, pillaging the inhabitants, whom they affected to despise, terrifying them with their military train, and rendering the execution of the laws odious and oppressive: thus confirming and encreasing their aversion from a system accepted with reluctance.* Sir Richard Perrot severely reprobated the harsh and violent government of Bingham, urging several instances, in which the old inhabitants had been provoked and forced into insurrection by injustice, rigor, and oppression. Bingham on the other hand urged the necessity of a strict and severe government in a disordered state, the restlessness and insincerity of the old natives, and the danger to be apprehended from the governor's present indulgence.† Whether in this (as in more recent instances) the system of mildness or that of rigor were ultimately more conducive to the welfare of the state, will ever be controverted by the respective advocates for moderation or terrorism. It must however be admitted on all hands, that submission produced by fear, is ever different from the obedience and fidelity, which spring out of affection and attachment.

It may not perhaps be altogether candid to lay to the account of Elizabeth

* Sir John Davis tells us, p. 251, that to enure and acquaint the people of Munster and Connaught, with the English government againe (which had not been in use amongst them for the space of 200 years before) Sir Henrie Sydney had instituted two presidency courtes in those two provinces, placing Sir Edward Tritton in Connaught, and Sir John Perrot in Mounster; (and p. 252:) Though he reduced all Connaught into counties, he never sent any justices of assize to visite that provence, but placed commissioners there, who governed it only in a *course of discretion*, part martial and part civil. Sir Richard Bingham presided in Connaught whilst Sir Richard Perrott was the lord deputy. Sir Richard Perrot considered the peace and welfare of Ireland, as the honor and advantage of England, and was desirous of extending the English ascendancy by coalescing and uniting with the natives, and bringing their several interests into a common focus, by a mild though efficient government. Sir Richard Bingham was supported by the court in carrying on a government of rigor, cruelty, and oppression, and he ultimately succeeded in overturning the administration of Perrot.

† It has been too frequently the case in Ireland, that the governors, who have deserved the best of Ireland, have fallen victims to a spirit of intrigue in England, or rather to the English ascendancy in the Irish cabinet. Perrott was recalled, accused and found guilty of treason, but died before judgement was executed upon him. Borlase says, the queen's anger being qualified, there were great hopes of his pardon. (P. 140.) His biographist says of him, *Pacificavit Connaciam, relaxavit Mediam, Subjugavit Ultoniam, fregit Lageniam, ligavit Mononiam, Extirpavit Scotos, refrænavit Anglos: & his omnibus peræque vectigal acquiivit Regina.*

every

every abuse of power by her deputy; the Irish however who smarted under the abuse, would not easily detach the vice of the agent from that of the principal. Sir William Fitzwilliam, the new deputy, is represented to have been interested and corrupt in the extreme: considering himself sent out to that government with a view to reward former services still unrequited, he assumed the government as a source of self-remuneration, and resolved to take every occasion of converting it to his own emolument. In search of imaginary treasures brought into the country by that part of the Spanish armada, which had been driven on the north western coast, he drove O'Rourke of Breffney* into open rebellion; and without any proof, or even presumption of guilt, he committed Sir Owen Mac Toole, and Sir John O'Dogherty to close confinement in the castle of Dublin: these two persons eminently respected within the Pale, had rendered signal services to government, and were always known to have been well affected. Fitzwilliam chose to suspect them of having secreted Spanish treasure: and on that charge alone kept them confined without means of justifying themselves by any sort of trial. One was released on the point of death, brought on by the severity of his durance, and the other after two years imprisonment purchased his liberty for an enormous sum of money. This severe and arbitrary treatment of two persons universally revered, was received with universal abhorrence. The loyal Irish trembled for their own safety: many repented of their submissions: and the disaffected were confirmed in their inveteracy. And as if the secret fire of discontent and animosity were not sufficiently kindled in the northern province, Fitzwilliam by his intemperate conduct seemed to court every occasion of feeding the flame.

Mac Mahon, chief of the district called Monaghan, had surrendered his country, holden by Tanistry, to the queen, and had taken a regrant thereof from the crown to himself in tail male, with remainder in like manner to his brother Hugh. Having died without issue, Hugh petitioned to be admitted to his inheritance: but immediately upon his arrival in Dublin, he was committed to prison. Fitz-William went into Monaghan, where he received an accusation against Hugh, that two years before he had hostilely entered into a neighbouring district to recover some rent due to him by force of arms.

* After some hostilities he was obliged to flee to Scotland, where by the order of the king he was seized and delivered up to Elizabeth; he was afterwards hanged as a traitor in London.

In the unreformed parts of Ireland, these actions were common and unnoticed; but the English law made them treasonable. The unhappy Mac Mahon for an offence committed before the law, which made it capital, had been received in his country, was tried, condemned by a jury (said to have been formed of private foldiers), and executed, in two days, to the utter consternation of his countrymen. His estate was distributed to Sir Henry Bagnall and other adventurers, and four of the sept of *Mac Mahon*.*

Such being the situation of the Irish, any affectionate attachment to the queen was not to be expected from them: their forced submission could be no more than an insidious suspension of hostilities, till the favourable moment for rising in arms should present itself. The insurrection soon became general;† and so precarious did the very existence of the English power appear to government, that the queen condescended to appoint a commission of Sir Robert Gardiner and Sir Henry Wallop to conclude a peace with the Irish. This treaty was very solemn, and whilst it was pending, most of the Irish potentates made their complaints and petitions for redress of their respective grievances, which are to be seen at large in Morryson, p. 113. It produced, however, no more than a truce for some months, viz. to the 1st of April, 1596. The English historians generally attribute the failure of this treaty to the insolent and unconscientious demands of the Irish, whose terms

* Sir Richard Cox, 1 vol. p. 359, says, that it cost him 600 cows to get a promise to be settled in his brother's inheritance; and that the four Mac Mahons who received grants of parts of these estates, gave large bribes to the deputy. However, says he, it must be observed, that from henceforward the Irish loathed sheriffs and the English neighbourhood, as fearing in time they might all follow the fate of Mac Mahon, and therefore in the great treaty of Dundalk, in January 1595, they all desired to be exempted from garrisons, sheriffs and other officers.

† The insurrection though general was not universal: for after the general submission to the queen, in the last parliament, it is remarkable, that no chiefs of the Kavenaghs, O'Moores, O'Tools, O'Dempies, or O'Connors could ever be brought to join in O'Neil's insurrection, notwithstanding they adhered to the religion of their ancestors, against which such severe laws had been enacted. A great share of the odium of government fell upon Fenton, the secretary, who had maintained his situation in a sort of independence of each deputy and governor through several successive administrations. He was supported by the personal favor of the queen, to whom he frequently repaired to lay before her the state of affairs in Ireland, and his own complaints of the different officers, so that he was said to be a moth in the garments of all the deputies of his time. He had established his own consequence in the oppression of the Irish, and abused the confidence of the queen, by artful and false representations, to continue the same pernicious system of government for his own emolument and security.

(according

(according to the Lambeth manuscript) were three, viz. 1. A general liberty of conscience. 2. A general pardon for all. 3. That no garrison, sheriff, or officer should remain in any of their countries (Newry and Carrickfergus excepted). After the recommencement of hostilities, the remainder of Elizabeth's reign was a continued scene of the most disastrous war, famine, and desolation. The council gave it under their hands, *that it was an universal Irish rebellion to shake off all English government*. For a series of years, particularly during the government of the Queen's favorite Essex, the arms of England were unsuccessful. During these violent contentions, every enormity was committed by both parties, at the very recital of which the soul sickens. At length the mutual system of devastation became so general, that the produce of that fertile island no longer sufficed to support its wretched inhabitants. The putrid bodies of multitudes that fell daily, more by famine than the sword, brought on a pestilence, which threatened to clear the land of its aboriginal race. The advantages in this rueful state of calamity were of course with the English, who by commanding the coasts were supplied with provisions and other means of subsistence from England. This calamitous war was at last put an end to by the forced submission of Tyrone, and the dispersion of the other chieftains who had joined him in the rebellion.

The irascible and haughty character of Elizabeth was so affected by the obstinate resistance of Tyrone, and her feelings were so worked upon by the disgrace, trial, and execution of Essex, all of which she laid to the account of her rebellious subjects in Ireland, that her dissolution is generally supposed to have been accelerated from these causes. The Lord Deputy Mountjoy pressed upon Cecil the absolute necessity of an amicable conclusion to the war. But the irritated mind of the queen interposed unsurmountable obstacles: so fluctuating and contradictory were her latter orders respecting Ireland, that all the art and power of Cecil could not render them practicable to the lord deputy. He had, however, hazarded the bold determination of acting up to reason, and, upon his own authority, had sent articles for a pacification to Tyrone. In the height of his perplexity he received a private communication of the queen's death, of which he most prudently availed himself by instantly closing the treaty. The almost immediate knowledge of this event threw the humiliated dynast into despair and rage, from the sense of a precipitate submission, when perseverance for one short hour would have

have preserved his honor, maintained his reputation with his countrymen, and afforded a favourable opportunity of renewing the war, or concluding it upon more honorable terms with the new monarch. But the dye was cast: and the once great and formidable Tyrone, now deserted by his followers, in the piteous state of fallen greatness, cast himself on his knees before the deputy, acknowledged his guilt, implored mercy, and renounced for ever the name of O'Neale, with all his former pretensions to independence, authority and sovereignty, entreating to be admitted, through the bounty of his sovereign, to some part of his inheritance for an honorable subsistence. The deputy pardoned him and his followers, and (with some exceptions) promised him the restoration of his lands and dignity. On these conditions the pacification was ratified. Thus closed a rebellion evidently brought on, stimulated, and continued by the noxious policy of England's treating the Irish as a divided, separate, and enslaved people. But it was a melancholy solace, that the reduction of Ireland to this reluctant state of submission, through the gloomy tracts of blood, famine, and pestilence, cost the crown of England no less than 1,198,717*l.*; a sum, in those days, enormous. By union alone can a repetition of such scenes be effectually prevented.

In a war of such embittered acrimony as that which was carried on between Elizabeth and the Irish nation, backed and supported by no inconsiderable force from Spain, and often aided by the court of Rome, it was to be expected that religious prejudice and enthusiasm should be often resorted to, in order to enflame the minds in favor of their own, and detestation of the adverse cause. Thus every species of religious influence, by which the leaders (who were perhaps indifferent to all religion*) imagined they could enflame and stimulate their followers, was eagerly resorted to; not as the ground of the contention, but as means of ensuring success in the uncertainty of the contest. This was not a war of Protestants against Catholics, for the royal army was filled with Irish, and they were mostly Catholics. Dr. Leland† bears this honorable testimony to the religion of the Irish nation

* Thus Essex, in a conference with Tyrone, who was pleading a zeal for his ancient faith and the true religion, coarsely replied, that his horse had as much religion as Tyrone. *Moryf.* 1*L.* p. 168. Tyrone was very accomplished, and spoke four modern languages with the fluency of a native.

† 2 *Lel.* p. 412. (*Sull.* p. 117, et alibi.) Dr. Leland also says (p. 306), " Candor obliges us
" to acknowledge, that the Romish clergy at this period did not uniformly concur in exciting the
" Irish

nation at that time, that “ they saw numbers of the Romish communion*
 “ act with firmness and vigor in support of that government to which they
 “ had sworn allegiance; they saw numbers of their ecclesiastics inculcating
 “ the doctrines of civil obedience and submission, and they were virulent in
 “ condemning, and industrious in counteracting such doctrines.

†As Elizabeth did not live to see the reduction of Ireland completed, her successor must be considered as the first English monarch who possessed the complete dominion of Ireland. For under him for the first time was the spirit of resistance to the English power broken down, and the English laws universally acknowledged.

“ Irish to insurrections. Sullivan himself confesses (although it was his business to represent
 “ the religious zeal of his countrymen in the most advantageous point of view) that a considerable
 “ party among this clergy, recommended a dutiful submission to government, and opposed the
 “ practices of their more intemperate brethren.”

* No one can have fairly attended to the workings of human nature upon a multitude embarked in a desperate cause, who will not admit, that in proportion to the eagerness with which the cause is adopted, so are all means of aid, countenance, and support resorted to. O’Nial, at the beginning of his insurrection, had entered into the war under a full conviction and repeated assurances of receiving succours from the Pope, and the King of Spain; and he continued constantly to importune both these powers for assistance. He particularly urged the Roman pontiff to countenance his cause, and by some public act to settle the minds of the Catholics of Ireland upon the unlawfulness of submitting to Elizabeth, who still remained subject to the excommunication pronounced against her by Pius V. Tyrone entreated his holiness to send over a nuncio to Ireland, whose presence might confirm the wavering, overawe the timid, and impose upon all. Clement the VIIIth, however, was more sparing of his treasure and subjects, than of his words. He accordingly wrote a public *breve* from Rome on the 6th of April, 1600, addressed to the whole Irish nation; a copy of which is to be seen in the Appendix, No. XII. Imprudent as such interference ever must be from the person who ought to be the arch-minister of peace and harmony, still must it be recollected, that on this occasion the most earnest importunities were employed to bring forward the supreme pontiff to this interference.

† Vide Lord Clare’s speech, p. 10.

Ere we enter upon another reign, it will be but candor to enable the impartial reader to see more fully the grounds and reasons why the Irish rose against Elizabeth, and so obstinately persisted in their rebellion. Many of these are collected together in a very strong and sensible Memorial submitted to the queen, by Captain Thomas Lee, a good officer and staunch protestant, in the year 1594. Several of the facts he was eye witness to; others he vouches for the truth of. This is preserved in manuscript in Trinity College, Dublin: some few extracts of which are to be seen in Appendix, No. XII. The whole is very long.

CHAPTER III.

THE REIGN OF JAMES THE FIRST.

THE accession of the house of Stuart to the throne of England, and consequently to that of Ireland, forms a very notable æra in the modern history of that country. The conduct of the Irish to this family, and their treatment of them in return, furnishes a most melancholy illustration of that detestable policy of the Stuarts, which basely lavished that favor upon their enemy, which was the rightful perquisite of their faithful friend. True it is, that King James was the first monarch that extended the legislative as well as the juridical power beyond the Pale. It was the interest of the crown to have the whole kingdom in effective subjection to the law of England; it was the interest of the kingdom to be no longer subjected to several chieftains, who were incessantly at war with each other, or with the crown of England. Ireland was so reduced by the sword, famine, and desolation, that she abandoned all thoughts of that liberty and independance, which was only to be purchased by a continuance of such calamities. England revolted at the idea of retaining the sovereignty of a kingdom by so profuse a drain of blood and treasure, which her resources were inadequate any longer to supply.* James's first care therefore was to ingratiate himself with the Irish. Tyrone and Roderick O'Donnel, who in the late commotions had been very active against the government, accompanied Mountjoy to the

* Morison (p. 197) says, that the queen's charge for Ireland, from the 1st of April, 1600, to the 29th of March, 1602, was 283,673*l.* 19*s.* 4½*d.* And Robertson, in his History of Scotland, tells us, that "it was part of James's policy, in order to pave the way to his succession, to waste the vigor of the state of England, by some insensible, yet powerful means: he had his agents in Ireland, fomenting Tyrone's war (the Scots daily carrying munition to the rebels) in Ulster; so that the Queen was driven almost to an incredible expence in carrying it on, and her enemies still encouraged by James's secret assistance and promises." Of this, Elizabeth complained to James in a letter, in 1599, remonstrating with him upon the impolicy of abetting what she termed the dangerous party, and failing his own (*Saund. King James*). No one therefore could be more alive to the dangers of the Irish persisting in rebellion than King James.

court of King James, where they were most graciously received: the former was confirmed in all his lands and honors, the latter was created Earl of Tyrconnel. It is evident, that James, on his first accession to the throne, not only permitted, but encouraged reports to be circulated that he should be favourable to the Catholic cause. These reports were naturally magnified by the impetuosity and enthusiasm of the Irish; and it was currently believed by a large portion of the nation, that the king himself was of that persuasion.* Mr. Osburne, indeed, says, "it is certain, that the promise King James made to the Roman Catholics, was registered, and amounted so high at least as a toleration of their religion." In the warmth of these hopes and expectations, they no longer considered it necessary to confine their religious worship to privacy: in many parts of Leinster, and more particularly of Munster, they openly performed the divine service and other religious ceremonies, in the full external form of the Roman ritual. † "Dissuading to confine their devotions any longer to privacy and retirement, they ejected the reformed ministers from their churches; they seized those religious houses which had been converted to civil uses; they erected their crosses; they celebrated their masses, pompously and publicly, and their ecclesiastics were seen marching in procession, cloathed in the habits of their respective orders." When the lord deputy remonstrated with them upon this daring violation and defiance of the law, we are informed by the same author, that they coolly and determinedly answered, "that they only now exercised publicly, that which before they had been suffered to exercise privately; and as their public prayers gave testimony of their faithful hearts to the king, so they were tied to be no less careful to

* It is reported of James, that he sent a letter, under his own hand and seal, to Pope Clement the VIIIth, assuring his holiness that it was his majesty's intention to become a Roman Catholic whenever he should ascend the English throne. In fact, James objected not to any tenets of the Roman Catholic faith; but only to the abusive encroachments of the spiritual over the civil power: for he said, in his premonition (James's Works, ed. 1616, p. 306.): "For myself (if that were yet the question) I would with all my heart give my consent, that the Bishop of Rome should have the first seate. I being a western King would goe with the patriarch of the West. And for his temporall principalitie over the signory of Rome, I doe not quarrell it neither: let him in God his name be *primus episcoporum inter omnes episcopos et princeps episcoporum*: so it be no otherwise, but as Peter was, *princeps apostolorum*."

† 2 Lel. p. 413, after Moryson, 2 vol. p. 333.

“ manifest their duties to God, in which they never would be dissembling
“ temporizers.”

Mountjoy marched an armed force into Munster, in order to check this open defiance of the law. At Waterford he found the town gates shut against him: the citizens pleaded, that by a charter of King John they were exempted from quartering foldiers; but Mountjoy instantly replied, that with the sword of King James he would cut to pieces the charter of King John; level their city with the ground, and strew salt upon its ruins. The menace was effectual: Mountjoy entered: the citizens were terrified into submission. From this conduct of the deputy, the other cities of Munster, which had declared for the free and public exercise of the Roman Catholic religion were intimidated to a like compliance with the laws.* The English historians charge several of these cities with refusing to proclaim King James, as an heretical prince; alledging that their consciences would not

* It would not be candid to charge these men with so many open and deliberate acts of treason, for thus publicly exercising their religion. We have before observed, that the acts of Elizabeth, as well as the other acts of the Pale parliament were not obeyed twenty miles from Dublin: and even within the Pale, the penal laws of Elizabeth had not been executed for the last forty years. All the Irish annalists affirm, that the Statute of Uniformity (2 Eliz.) was surreptitiously obtained by the art of Stanyhurst, the then speaker; who, at an unusual hour and on an unexpected day, procured the bill to be passed by the friends to reform, in the absence of those who were expected to have opposed it. They soon after protested against the act of this smuggled convention: and the Lord Lieutenant assured them, with oaths and protestations, that the penalties of that act should never be inflicted, which they believing, suffered it to remain without any further opposition. In support of the probability of this circumstance, was the subsequent fact, that this law was seldom, if ever executed, during the remainder of Queen Elizabeth's reign, viz. for more than forty years; that is, until all or most of those members were, probably, dead, to whom the promise had been given. (*Vide Analect. Sacr. p. 431.*) Other causes may, with great plausibility, be assigned for the non-execution of the penal laws, during the reign of Elizabeth, in Ireland; whilst hundreds were put to death, and thousands suffered in their persons and fortunes under similar laws in England. Those within the Pale were equally tenacious of their ancient faith, as those without it. The queen's army was full of native Irish, all or most of whom then were Catholic. And *Moryson* (p. 120) asserts, that one half of that gallant army under Lord Mountjoy, which so successfully attacked, and at last entirely defeated Tyrone, was Irish: nor did their having less pay than the English, or their being exposed to endure the brunt of every action, lessen their zeal or activity in the service. The long period of warfare during Elizabeth's reign, and the fear of weakening her army by estranging the affections of the Catholics, who were actually engaged in her service, must have disposed Elizabeth to discountenance and check, as far as she could, the execution of that severe code of penal laws against the Catholics.

permit

permit them to submit to a prince, who impugned the Catholic faith. The Irish historians attribute the delay of some days in proclaiming the new monarch to the extraordinary preparations for doing it with unusual splendor, under the flattering delusion of his professing their own religion.

Although by the suppression of the late rebellion the minds of the people were broken and prepared for obedience, yet it was conceived that the peace of the nation could not be firmly settled, till their minds were quieted, and their persons and property secured from the effects of the law, which most of them had incurred in some way or other during the general confusion. For this purpose, an act of state, called *An Act of Oblivion and Indemnity*, was published by proclamation under the great seal, by which all offences against the crown, and all particular trespasses between subject and subject, were, to all such as would come in to the justices of assize by a certain day and claim the benefit of that act, pardoned, remitted, and utterly extinguished, never to be revived or called in question. And by the same proclamation, all the Irishry who had hitherto received no defence or protection from the crown, having been entirely subjected to their respective chieftains, were admitted into his majesty's immediate protection. "This," says Sir John Davies,* "bred such comfort and security in the hearts of all men, as thereupon ensued the calmest and most universal peace that ever was seen in Ireland." So true has it at all times been, that mildness and liberality towards the Irish have ever been requited with their submissiveness, fidelity, and attachment.† King James, in order more effectually

* Disc. p. 262.

† In answer to many severe and unjust reflections formerly and recently made upon the lawless ferocity and intractability of the Irish; I shall cite the authority of Sir John Davis, who certainly had the fairest opportunity of knowing them, and cannot be suspected of partiality, as holding a high official situation under a monarch little disposed to favor them from inclination. (Disc. p. 267.)

"Again these circuits of justice did (upon the ende of the warre) more terrifie the loose and idle personnes then the execution of the martial law, though it were more quick and suddaine: and in a short time after did so cleere the kingdome of theeves and other capitall offenders, as I dare affirme, that for the space of five years last past, there have not bin founde so manie malefactors worthy of death in all the fix circuits of this realme (which is now divided into thirty-two shires at large), as in one circuit of fix shires, namely the western circuit in England. For the troth is, that in time of peace the Irish are more fearful to offend the law, then the English or any other nation whatsoever." (And p. 283.) "In which condition of subjectes, they will gladly continue without defection or adhering to any other lord or king, as long as they may be pro-

effectually to secure the full dominion both of the Irish and their property, published a proclamation, which is usually called the Commission of Grace, for securing the Subjects of Ireland against all claims of the Crown. The chief governor was thereby empowered to accept the surrenders of those Irish lords, who still held their estates or possessions by the old tenures of *Tanestry and Gavelkind*, and to regrant them in fee simple according to the English law: thus converting the estates for life of the chieftains into estates in fee simple. For this there were two obvious reasons of state policy: the first was, that in case of a forfeiture the whole would become vested in the crown by the attainder of the forfeiting person; whereas if by the old tenure of *Tanestry* they remained tenants for life, the estates could only in such cases be forfeited to the crown for the life of the forfeiting person, and would be saved to all remainder men, which by the old Brehon tenure were in fact the whole sept. The second reason was, that by vesting the fee simple in the chief, which by the course of the English law made it descendible to his eldest son or heir at law, it excluded the sept from their reversionary distributive rights of *Gavelkind* upon the death of the tenant for life, and thus detached the septs from that common bond of interest and union with their chief, which gave them firmness, consistency, and consequence, and necessarily threw them thus disjointed more immediately under the power of the sovereign, by leaving one only freeholder or tenant to the crown in each sept. The new grants to the lords were limited to the lands in their actual possession. And those lands, which any of his followers held on any precarious Irish tenures of the chief, were confirmed to the mesne tenant also in fee, upon paying to the lord a certain annual rent equivalent to the lord's beneficial interest in the services or tenure of his tenant. Thus was the whole landed interest of Ireland new modelled; and the example of these new patentees of the crown was followed by many trading towns and corporations throughout the kingdom: they surrendered their old, and accepted new charters from the crown,

“ *tested and justly governed without oppression on the one side, or impunity on the other. For*
 “ *there is no nation of people under the sunne, that doth love equal and indifferent justice*
 “ *better than the Irish: or will rest better satisfied with the execution thereof, though it be*
 “ *against themselves; so as they may have the benefit and protection of the law, when upon just*
 “ *causes they do desire it.*”

with

with such regulations and privileges as were more congenial with the policy and views of the court.

"It was not without some reason," says Leland,* "that the numerous body of Catholics in Ireland presumed on the favor of the new king, and his partiality to their communion. They had frequent opportunities by those emissaries of Rome, who were continually pouring into their country, to be informed of his transactions with the pontiff, while king of Scots, and of the expectations conceived of his conversion. The sentiments which he expressed with respect to popery to his first parliament, were but a repetition of those opinions which he had avowed on other occasions; and every expression of tenderness to what he called the mother church, and every rumour of his secret intentions were industriously propagated and magnified to a credulous people, removed at a great distance from authentic information." James now felt himself firmly seated on the throne of Ireland. In his religious principles he was neither a Protestant nor a Catholic: he disliked and dreaded the Puritans. He always cherished a filial reverence and affection for his mother; and retained an indelible sense of, though he wanted firmness to avenge the injuries and indignities she had suffered. Inflated with conceit and vanity, this weak prince had blindly mounted himself upon the baseless pinnacle of overstretched prerogative, and whilst he indulged in this visionary security, he permitted himself to be carried down with every stream of flattery, fear, or menace, as they successively flowed in upon him. As a Stuart he was ever ready to sacrifice his friend to the fear of his enemy. At this time the Puritan party had acquired, both in the church and state† of Ireland, an eminent ascendancy; and

* 2 Leland, p. 420.

Geoghegan in his history (p. 422) says, that it is notorious, that notwithstanding the severity of the laws made in Ireland against the Roman Catholic religion during the reigns of Henry VIII. Edward VI. Elizabeth, and James I. not sixty of the Irish embraced the Protestant religion, though Ireland then contained more than two millions of souls.

† Lord Deputy Chichester, who was afterwards created Baron Belfast, had been the pupil of the famous Cartwright, who was so violent an opposer of the church establishment, that in writing to Archbishop Whitgift he used these strong expressions: "Certain of the things we (the Dissenters) stand upon are such, that if every hair of our heads were a life, we ought to afford them for the defence of them." And Sir George Paul, in the life of this archbishop (p. 47), gives us, by way of sample, a part of the constant public prayer of this Cartwright before his sermons: "Because they (meaning the Bishops), which ought to be pillars of the church, do band themselves

and from this moment they were preparing to get up that eventful tragedy, which closed in the catastrophe of the throne, altars, and constitution of the British empire. Their first act was to express their indignation at the relaxations, favor, and countenance shewn to the Catholics. The immediate effect of which was a formal publication or promulgation of the Statute of Conformity (2 Eliz.) exemplified under the great seal, under pretence that the printed copies of the act varied from the record, but in fact to give sanction and publicity to an act, which was now intended to be rigorously executed, though it had for forty years been almost a dead letter. The King's Proclamation for the strict observance of it was annexed to the Exemplification, and solemnly published throughout the nation.* This measure was peculiarly calculated to wound the Irish nation; and they were still more sorely aggrieved by the insulting humiliation of certain commissions issued in consequence of the proclamation, by which the Catholics of condition were appointed inquisitors to watch and inform against those of

“ selves against Christ and his truth, therefore, O Lord, give us grace and power as one man to let
 “ ourselves against them.” At this time the whole body of the reformed clergy in Ireland was Puritan; the most eminent of whom for learning was Usher, then provost of Trinity College, Dublin, and afterwards archbishop of Armagh, who by his management and contrivance procured the whole doctrine of Calvin to be received as the public belief of the Church of Ireland, and ratified by Chichester in the king's name. Not only the famous Lambeth articles concerning predestination, grace, and justifying faith, sent down as a standard of doctrine to Cambridge, but immediately suppressed by Queen Elizabeth, and afterwards disapproved and rejected by King James, when proposed to him by Dr. Reynolds in the conference of Hampton Court, but also several particular fancies and notions of his own were incorporated, says Carte (*Osm.* 1 vol. p. 73), into the articles of the Church of Ireland, and by his credit approved of in convocation, and afterwards confirmed by the Lord Deputy Chichester.

* The language of this proclamation strongly proves the grounds which the Catholics had for rejoicing at the accession of James I. from whom they expected protection, countenance and favor. It bears date the 4th of July, 1605. “ Whereas his Majesty was informed, that his subjects of
 “ Ireland had been deceived by a false report, that his Majesty was disposed to allow them liberty
 “ of conscience and the free choice of a religion contrary to that which he had always professed
 “ himself; by which means it has happened, that many of his subjects of that kingdom had
 “ firmly resolved to remain constantly in that religion. Wherefore he declared to all his subjects
 “ of Ireland, that he would not admit any such liberty of conscience as they were made to expect
 “ by that report.” He then proceeds to enjoin all and each of his subjects, for the time to come, to frequent their respective churches and chapels, and to comply minutely with all the requisitions of the Act of Uniformity, &c. &c.

their

their own communion, who did not frequent the Protestant churches; by neglect of which, they were subjected to fine and imprisonment.† Leland observes, that this measure *instead of terrifying the delinquents enraged them*. The magistrates and chief citizens of Dublin were first called upon to renounce their religion. ‡ “Eighteen of the most eminent of the city were summoned to the court of Castle Chamber, of whom nine of the chief were censured, and six of the aldermen fined each 100*l.*; and the other three 50*l.* apiece; they were all committed prisoners to the castle during the pleasure of the court, and it was ordered, that none of the citizens should bear office till they conformed. The week following the rest were censured in the same manner, except Alderman Archer, who conformed. Their fines were allotted to the repairs of such churches as had been damaged by the accidental blowing up of the magazine of gunpowder in 1596, to the relieving poor scholars, and to other charitable uses.” On this occasion all the old families of the Pale took the alarm, and boldly remonstrated against the severity of these proceedings: they denied the legality of the sentence by which these severities were inflicted, and urged that even by the statute of Elizabeth the crime of recusancy had its punishment ascertained, and that any extension of the penalty beyond the letter of the statute, was illegal and unconstitutional. Their remonstrance was presented to the council by an unusual concourse of those who were interested in the event. The chief of the petitioners were instantly committed to gaol; and Sir Patrick Barnewall, their great agent, was, by the king’s command, soon after sent over to England in custody, and there committed to the Tower of London.

These proceedings naturally produced general rancour and distrust: but the views of those who had instituted them, would have been disappointed, unless some advantages could be reaped from them. In proportion to the probability of some of the nobility’s resenting this harsh and unexpected treatment, were rumours of insurrections and conspiracies set afloat, eagerly taken up, and industriously magnified. When Chichester had, by his intemperate severity, mounted up one party to the highest pitch of provocation, and worked up the other to an excess of credulity and alarm, an anonymous

† Anal. Sacr. p. 25.

‡ Harris’s History of Dublin, p. 323.

letter was dropped in the privy council chamber, intimating a traiterous scheme of rebellion, formed by the Earls of Tyrone and Tyrconnel and other lords and gentlemen of the North, for seizing the Castle of Dublin, murdering the deputy, and raising a general revolt, with the aid of Spain: and all this in defence of the Catholic religion.* Certain it is, that Tyrone and Tyrconnel fled the country, and were, together with some other fugitives of inferior note, attainted of high treason. The consequence was, the forfeiture of all their vast estates to the crown.† These estates, which besides some other that had been also forfeited to the crown by Sir Cahir O'Dogherty and several of his adherents, who afterwards actually were for about five months in rebellion, comprised almost the whole six northern counties of Cavan, Fermanagh, Armagh, Derry, Tyrone, and Tyrconnel (now called

* At this distant period of time, the contradictory accounts of this insurrection by cotemporary authors, together with a total failure of any proof of overt acts, leave little room to doubt about its actual existence. Jones, bishop of Meath, who had formerly been scout-master-general to Cromwell's army, has given this account of the anonymous letter, which Carleton, bishop of Chichester, wholly omits, and he says he had his account from a report of the bishop of Derry. The pretended letter is to be seen in the Appendix, No. XIII.

† Some historians attribute the flight of these noblemen to a consciousness of guilt, others to their persuasion that St. Lawrence would follow them up to conviction by the same treachery and perjury with which he had brought on their accusation. Dr. Anderson, in his *Royal Genealogies*, p. 786, dedicated to the Prince of Wales in 1736, says, "Artful Cecil employed one St. Lawrence to entrap the Earls of Tyrone and Tyrconnel, the Lord Delvin, and other Irish chiefs into a sham plot, which had no evidence but his. But those chiefs being basely informed, that witnesses were to be hired against them, foolishly fled from Dublin, and so taking guilt upon them, they were declared rebels, and six entire counties in Ulster were at once forfeited to the crown, *which was what their enemies wanted.*" That this St. Lawrence was a fit instrument for such a design is clear, from what Camden relates of him (Eliz. 741) viz. that he offered to murder Lord Gray de Wilton and Sir Thomas Gerald, to prevent their conveying reports of Essex to the queen; which bloody service Lord Essex rejected with indignation. No history, whatever, mentions any symptoms of rising in the North at this time. And the king immediately after published an overcautionary forced proclamation (quod vide in Appendix, No. XIV.), by which he pledged himself, thereafter to make it appear to the world as clear as the sun by evident proof, that the only ground of these earls departure was their own knowledge and terror of guilt. These proofs have never yet been produced. And the act of parliament (11, 12, and 13 Jac. c. iv.) by which the attainders were confirmed, makes no reference to them; but barely recites, that they with several others were attainted, as by fundrie inquisitions remaining of record may appear. This affected brevity was little congenial with the spirit and stile of the pedantic James; and widely dissimilar from Elizabeth's act of attainder of O'Nial.

Donegal).

Donegal). From that period King James entered upon his favorite scheme of forming a plantation for the avowed purpose of excluding the old inhabitants, and introducing the new religion.* The lands were accordingly parcelled out amongst the adventurers, who flocked thither from England and Scotland. The latter were the more numerous, and brought with them the principles and discipline of Presbyterianism. This new settlement or colony was put under particular regulations, all calculated to support and strengthen the Protestant religion. The most opulent adventurers in this speculation were the citizens of London:† they obtained a large tract of land on the

* Although the rebellion of Sir Cahir O'Dogherty were confined to the district of Innishowen and its environs, yet did James ever affect to consider the whole Irish nation as rebels or rebelliously disposed, as appears by his reference to the system of his northern plantation in a speech to the parliament, at Whitehall, in 1609: "As for Ireland, ye all well know how uncertain my charges are ever there, that people being so easily stirred, partly through the barbarity and want of civility, and partly through their corruption in religion, to break forth in rebellions. And I dare never suffer the same (i. e. the army) to be diminished, till this plantation take effect, which (no doubt) is the greatest moate that ever came in the rebels eyes: and it is to be looked for, if ever they will be able to make any stirre, they will presse at by all means for the preventing and discouraging this plantation."

† Upon a very loose survey, these forfeited lands were computed to comprise 511456 Irish acres, which were disposed of as follows:

	Acres.
To the Londoners and other Undertakers - - - - -	209800
The Bishops Menfall Lands - - - - -	003418
The Bishops Termon and Erenacks - - - - -	072780
The College of Dublin - - - - -	005600
For Free Schools - - - - -	002700
To Incumbents for Glebe - - - - -	018000
The old Glebes - - - - -	001208
To Deans and Prebends - - - - -	001473
To Servitors and Natives - - - - -	116330
The Improvements and Abbey Lands - - - - -	021552
The old Patentees and Forts - - - - -	038214
To New Corporations - - - - -	008887
Restored to M'Guire - - - - -	005980
Restored to several Irish - - - - -	001458

I have copied this account from Sir Richard Cox, to give some idea of the small share of the lands secured or regranted to the former possessors or even occupiers; and he particularly says, that in the book which was printed for the better direction of the settlers, it was specially mentioned, that they should not suffer any labourer, that would not take the oath of supremacy, to dwell upon their land.

lower part of the river Ban in the vicinity of Derry, which town they rebuilt and called *Londonderry*. Whatever advantages may have been reaped by the new settlers from this system of colonizing an entire country, it is evident, that it must have produced the most desperate and mischievous effects upon the Irish. The forcible dispossession of a whole province could not fail to spread discontent, alarm and disaffection amongst those who were, or at least considered themselves liable to be treated in like manner. The fugitive earls were generally reputed to be the victims of a sham plot, against which there was no security, and of which there had hitherto appeared no proof. The profuse grant of the whole territory of *Innishowen*, together with all the other lands of Sir Cahir O'Dogherty, to Sir Arthur Chichester the great adviser and promoter of this plantation; the facility with which foreign grantees and their sub-grantees acquired, and the imperious oppression with which they managed their new possessions, with reference to the former inheritors and their tenants and occupiers of the soil, must, in the necessary course of nature, have more than estranged the affections of the greater part of the Irish nation from the sovereign, who commanded his servants that advised planned and executed, and the individuals that enjoyed this new plantation.

If ever the Union of Great Britain with Ireland can be fairly viewed, it is when set off in contrast against the conduct of the English government immediately after the uniting of the three crowns in one monarch. Instead of opening her arms to embrace and admit Ireland to an equal participation of all her own rights and privileges, she dispeoples one fourth of the kingdom, and doles out a large extent of the most ancient inheritances in Europe (or the universe), to strangers, adventurers, and oppressors. Sir John Davies, from the flattering spirit of the day, and the then supposed duties of his official situation, rather complimented his sovereign upon what he wished, than what had been accomplished; for referring to the conduct of James at this period of his reign, he says, * "This bred such comfort and

* There is no question but that Sir John Davis has written with more truth and impartiality than any of his cotemporary authors. Some degree of partiality must, however, be allowed on matters in which he was probably consulted: as must have been the case of this plantation. Sir Francis Bacon was also advised with; but his advice was not followed. It is observable, how artfully Sir John Davis, through his historical relations, avoids any mention of religion; well knowing how sore the Irish were upon the subject, and what violent effects it produced in the convulsed politics of that kingdom.

“ security

“ security in the hearts of all men, as thereupon ensued the calmest and most
 “ universal peace that ever was seen in Ireland.” *Leland, however, upon
 the authority of Carte and Chichester’s own letters, gives a widely different
 view of the internal state and spirit of the Irish at this period.

In the confusion of former times some lands possessed by traitors and
 state delinquents had been concealed and detained from the crown. Ad-
 venturers were encouraged by the numerous donations of estates, and the
 ease with which affluent fortunes were obtained in Ireland: they ransacked
 old records, they detected such concealments, and were countenanced by
 the state; they dispossessed the old inhabitants, or obliged them to com-
 pound for their intrusion; they were vested with portions of their lands,
 or otherwise rewarded. This was a source of many grievous abuses (as was
 afterwards experienced), but as yet the penal laws enacted against recusants
 was the principal subject of complaint. Whenever temporal and political
 consequence and advantage are annexed to the profession of any particular
 religious system, it is scarcely possible, that a difference in religion should not
 lead to personal diffidence, rancor, or envy. Much more so, when in a
 community the majority is on that account subjected to humiliation, penal-
 ties, and pains. The religious parties ran so high at this time in Ireland,
 that Leland truly said, † “ The reformed looked with abhorrence on the
 “ partizans of idolatry, and the imps of Antichrist; the Romanists with equal
 “ rancour inveighed against heresy and apostacy, the blind ministers of Satan
 “ and children of perdition.”

To consider James, says Hume,‡ in a more advantageous light, we must
 take a view of him as the legislator of Ireland. He frequently boasts of
 the management of Ireland as his master-piece: and it will appear, adds this
 author, upon enquiry, that his vanity in this particular was not altogether
 without foundation. The political situation of Ireland at this juncture has
 ever been represented by our historians in a light so different from what it
 has been generally viewed by the Irish, that it will be proper to submit to
 the reader the general leading facts, with as few observations upon them as
 are consistent with the task I have undertaken.

* 2 Lel. p. 439, Carte Orm. Chich. said letters, mst. Trin. Col. Dub.

† 2 Lel. p. 441.

‡ Historical Reign of that Monarch.

Twenty-seven years had elapsed since the last parliament, when James deemed it necessary to convene one. The grounds of this necessity, according to Leland, "were to support the arrangement (the plantation of Ulster) lately made, to remove real grievances, to repress causeless discontents, and to secure the administration against all attempts of turbulence and disaffection." The progress of the reformation in Ireland under James, although much more considerable than under Elizabeth, did not yet answer the views or wishes of government. The Lord Deputy Chichester had successfully convinced the king of the necessity of establishing a *Protestant ascendancy* in parliament,* and pledged himself that, with a plenitude of power to make the previous arrangements, he would, in defiance of numbers, property, and influence in the country, secure a Protestant majority in both houses.

From the circumstances of the times, Protestants and Catholics were arrayed against each other, according to what in modern parliamentary language would be termed the *court and country party*. It was impossible, that the measures of government tending to secure such parliamentary influence against the decided preponderancy and natural interest of the country party, could be kept secret from the nation at large. No sooner, therefore, was the royal intention of convening a parliament publicly made known, than the Catholics took the alarm, that it was the design of government to force upon them some additional grievances, especially as they had not vouchsafed, according to Poyning's law, to make any previous communication of the design of summoning the parliament, or of the laws intended to be enacted therein. Accordingly six of the principal lords of the Pale addressed a letter to the king, strongly expressive of their apprehensions, and plainly pointing out to him the consequences which this rigorous system of government

* Leland informs us (though without quoting any authority), that "the king had denounced a curse on himself and his posterity, if ever he should grant a toleration to the Romanists: and had, on particular occasions, instructed the Irish administration to administer the oaths, and execute the penal laws." 2 vol. p. 452. And we read (in *Anal. Sacr.*), that when Chichester had made a present of a fine horse to his royal master, the king asked if it were of Irish breed, and being answered in the affirmative, his majesty swore aloud, that then certainly it must be a Papist; for that he believed all things produced in Ireland, even the very animals, were Papists. And Chichester himself (*An. Sacr.*) in a moment of irritation at failing in withdrawing some persons of consequence from their religion, exclaimed, that he believed the very air and soil of Ireland were infected with Popery.

towards

towards the nation at large, on account of their adhesion to their ancient faith would inevitably produce.* The stile of this letter was too free and independent for James's inflated notions of the royal prerogative.† He pronounced it to be a rash and insolent interference with his authority. The lord deputy continued to encrease the number of the new boroughs, for which court candidates were of course returned, until he had secured a majority of that party. Forty new boroughs were thus created, of which several were not incorporated, until the writs for summoning a parliament had already issued. Violent altercations attended the meeting of this parliament, not only upon the election of Sir John Davis for the speaker of the House of Commons, in opposition to Sir John Everard ("a recusant," says Leland, "of respectable character, who had been a justice of the King's Bench, and on resigning this station, rather than take the oaths, was indulged with a pension,") but also on account of the illegality of many of the returns of the court members, which the country party vehemently protested against. Two hundred and thirty-two members had been returned: six were absent: of the remainder, one hundred and twenty-five were Protestants; and one hundred and one formed the recusant party. The upper house consisted of sixteen temporal barons, twenty-five Protestant prelates, five viscounts, and four earls, of which a considerable number, says Leland, were friends to the administration.‡

The

* See the letter from a copy of the Lambeth manuscript. Appendix, No. XV.

† In his speech to parliament, 1609, he told them, "I would wish you to be careful to avoid three things in the matter of grievance. 1st, That you doe not meddle with the maine points of government, that is my craft, *tractant fabrilis fabri*; to meddle with that were to lesson me." *James's Works*, fo. ed. p. 537.

‡ The majority of Protestant members returned to this parliament is very surprizing, considering how very few of the Irish had then given in to the Reformation. Gheoghegan asserts, that there were not sixty down to the reign of James I. Lord Clare, in his speech in the Irish House of Lords, on his own motion for the Union (p. 13), has remarked, "that from the first introduction of this Protestant colony by James I. the old distinctions of native Irish and degenerate English, and English of blood, and English by birth, were lost and forgotten: all rallied around the banner of the Popish faith, and looked upon the new Protestant settlers as the common aggressor and enemy: and it is a melancholy truth, that from that day all have clung to the Popish religion as a common bond of union, and an hereditary pledge of animosity to British settlers and the British nation. What alternative then remained to the king for retaining this country under the dominion of his crown? In the modern revolutionary phrase, the physical consequence of
" the

The Catholic party were so disgusted and provoked at the majority thus secured against them, that for a considerable time they seceded from parliament; and were only induced to resume their seats by the assurances of the lord deputy, that no other bill should for the present be propounded, than that for recognizing the king's title. This having been done, the parliament was prorogued, to give time for the violence of passion on both sides to abate. In the mean while, the Catholic party with full confidence dispatched their agents to lay their grievances at the feet of their sovereign. The deputy also sent his agents to counteract the efforts of the Catholics.* Two of the Catholic agents were, immediately on their arrival, committed prisoners; one to the Tower, the other to the Fleet: and James received the petition or remonstrance of the remaining Catholic agents in a most ungracious manner; and in flagrant violation of the rights of the Irish parliament (if that were to be considered independent), referred the final determination of it to the English privy council. The result of this appeal to the sovereign,

“ the country was arrayed against the English colony and the English government. He was,
 “ therefore, driven to the necessity of treating the old inhabitants as a conquered people, and
 “ governing their country as an English province; or of fortifying his Protestant colony by in-
 “ vesting them, exclusively, with the artificial power of a separate government; which, on every
 “ principle of self-interest and self-preservation, they were bound to administer in concert with
 “ England. The executive departments were under the immediate control of the ordinary royal
 “ prerogative; but it was in vain to hope that he could retain possession of Ireland under a separate
 “ government, unless a majority of the Irish parliament stood well-affected to the English crown
 “ and English nation: and to obtain that majority he resorted to the exercise of a prerogative
 “ which has always belonged to the English crown—by erecting new counties, and incorporating
 “ some of the principal towns occupied by the new settlers, giving them the franchise of sending
 “ representatives to the Irish parliament. And I repeat, without incurring the hazard of con-
 “ tradiction, that Ireland never had any assembly which could be called a parliament, until the
 “ reign of James I.” If an earnest of prospective happiness be to be expected from the union of
 the two kingdoms, nothing can so adequately depict it, as the contrast of the conduct of King
 James I. against that of our present most gracious sovereign. On one hand we behold a vain
 imperious monarch contemning, deriding, persecuting, oppressing, and exterminating his Irish
 subjects: on the other, we see the father of his people cherishing, endearing, relaxing the severity
 of the penal code, encouraging, embracing, and uniting with them in every blessing and advantage
 that the British constitution can impart.

* The Catholic agents were the Lords Gormanstown and Fermoy, Sir James Gough, Hufsey, Lutterel, and Talbot. The lord deputy's were the Earl of Thomond, Sir John Denham, the chief justice of the King's Bench, and Sir Oliver St. John.

was

was a most* disgraceful dismissal of the Catholic agents; a rejection of their demands; the imprisonment of Sir James Gough on his return to Ireland, for boasting of the king's promise to grant redress, and the remuneration of Sir Arthur Chichester by the grant of those princely domains, which his family possesses to this day. Chichester, thus confirmed in the royal favor, found little difficulty in passing every act, as it was proposed, by means of the majority he had by these new means acquired in parliament; though he found it prudent, in the heat of the contending parties, to drop a bill for the total expulsion of the Catholic clergy, and other penal bills against the Catholics, which had been prepared, and were intended to have been brought forward. The passion which James indulged for plantations was an endless source of apprehension and suffering to the Irish. With a view to extend them to other parts of the kingdom, he appointed a Commission of Enquiry, to scrutinize the titles and determine the rights of all the lands in Leinster and the adjoining districts. Such rapid progress did these commissioners of defective titles make in their mission, that in a short time, †“ James deemed himself entitled to make a distribution of 385000 “ acres in those countries.” These were apportioned to English settlers and to some few of the natives, under regulations nearly similar to those by which he had settled the colony in Ulster. In executing this scheme, little regard was had to the plainest dictates of justice. Old obsolete claims were received even as far back as the reign of Hen. II.; and advantage was taken of the most trivial flaws and minute informalities. In Connaught, immense estates were declared forfeited to the crown, because the recent grants made to the proprietors upon their surrenders of them to James, had been neglected to be enrolled by the clerks in chancery, although the new grantees had paid above 3000*l.* into their hands for the enrolments, and these clerks alone could make them. Perjury, fraud, and the most infamous acts of deceit were

* Such contradictory accounts and representations of James's conduct towards Ireland have been transmitted to us, that I must refer the reader, who wishes to form a candid opinion for himself, to the authentic documents, which are to be found in the Appendix, No. XVI. and XVII. being the remonstrance of divers lords of the Pale to the king, concerning the parliament; and the king's speech to the lords of the council before the Irish agents. One cannot pass over this reception and dismissal of the Irish agents by James, without reflecting upon the benignity with which the Catholic delegates were received at the court of St. James's, in 1790, and the large indulgences and favors they returned loaded with to their brethren in Ireland.

† 2 *Lel.* p. 461.

successfully

successfully practised by rapacious adventurers and informers: and Leland,* who gives an accurate detail of these enormities, refers to authentic "proofs of the most iniquitous practices of hardened cruelty, of vile perjury and scandalous subornation, employed to despoil the fair and unoffending proprietor of his inheritance." Thus was every man's possession precarious and doubtful; and to complete the measure of abuse, the juries who refused to find a title in the crown were censured and fined in the castle chamber.

The remainder of James's reign was an uninterrupted scene of vexatious oppression of the recusants, grievous extortions of the soldiery and their officers† upon the people, the execution of martial law in time of peace, the abusive exactions of the clergy and the ecclesiastical courts, the unconstitutional interference of the privy council and castle chamber in causes which ought to have been determined by common law, the invasion of property in the different plantations, and extreme rigor in executing the penal laws, were the means by which James estranged the affections of his Irish subjects from the English government, reduced them to want and misery, and consequently predisposed them to rise against their oppressors, whenever the opportunity should present itself of doing it with effect. A woeful legacy to his unfortunate successor!

* 2 Lel. p. 470.

† Who, as Leland observes, were privy counsellors, and men of great property and influence, too powerful to be complained of for any grievance suffered by their soldiers, and too deeply engaged in one common interest to call each other to account. P. 471.

CHAPTER IV.

THE REIGN OF CHARLES THE FIRST.

THE reign of Charles the First fills up that period of the Irish history which supereminently abounds with falsity and exaggeration, tending to misrepresent and defame the Irish nation.* The quick sensibility of the national

* The elementary view which I have undertaken to give of the Irish affairs, as necessary to develop the remote as well as the proximate causes of our union, will admit of no historical detail of the different scenes of that eventful tragedy which disgraced the British empire in the face of the universe. I attempt no more than to point out the different roads, which lead to the truth through a variety of crossings and windings, that often have, and often (I fear) will, mislead the traveller through the historical maze of that unfortunate kingdom. Contemporaneous, intermediate, and modern authors all seem to vie with each other in protesting against the inaccuracy and infidelity of others, and vouching for their own impartiality, diligence, and veracity. Whatever I shall offer to my reader upon this part of the Irish history shall be drawn from one of three sources, namely, public records, the words of the actors themselves, or the avowal of professed adversaries. Of all English writers upon the civil wars of Ireland Dr. Warner is entitled to the most credit for impartial accuracy. He had better means and sources than any of his predecessors, and has made a fairer use of them. His judgment upon the most reputable of his predecessors is curious and just; and an excellent warning to the strayed traveller, who wishes to arrive at the temple of truth and concord. (*Pref. to his History of the Rebellion.*) “The original Protestant Irish writers of this period are Sir John Temple, and Dr. Borlase; the first, who was master of the rolls and a privy councillor, has confined himself entirely to the massacre and rebellion in the early part of it, and the sense of what he suffered by the insurrection, together with his attachment to the ministry, led him to aggravate the crimes and cruelties of the Irish: the other was the son of Sir John Borlase, one of the lords justices of that time, and seems to have been an officer in the civil wars, who hath made great use of Temple's History; and, as far as he liked it, of Lord Clarendon's Vindication of the Marquis of Ormonde. If both these authors are to be read with great suspicion of partiality, as they certainly are, except in the copies of original papers, and the facts, which tally with them, Sir Richard Cox, who has done little more than transcribe the accounts which they have given, is entitled to no less merit, and yet open to the same suspicion. When he had no longer these to be his guide, the remainder of his work is little more than an extract from the newspapers and pamphlets of the time, and in no part deserves the name of a history.”——“There are no original English historians that I know of, who write any thing fully of this event in Ireland, besides the Earl of Clarendon and Mr. Carte:

national character was strongly marked in the excess of their joy at his accession. They looked up with confidence to the young monarch, at least for a toleration of their religion: and at the beginning of his reign they were permitted to practise it with more publicity than they had been in the former. This mildness of government, new to the Irish, was but of short duration. Leland observes, that at this time * “ their religious worship was “ once more celebrated with public solemnity, and with the full parade “ of their ostentatious ritual:” and he adds, “ that even in the city of “ Dublin, under the immediate notice of the state, an academical body

“ Carte: the former in his History of the Rebellion and Civil War in England, and in a little piece “ in the vindication of the Marquis of Ormonde, which in the late editions goes under the title, very “ improperly, of the History of the Rebellion and Civil War in Ireland. The noble historian’s at- “ tachment to the cause of Charles I. hath evidently given a bias to the whole of his great work: “ and on the most critical part of the king’s conduct with regard to Ireland, his commission to the “ Earl of Glamorgan, his lordship to our astonishment is entirely silent. Neither doth he enter much “ into any transaction in that country, wherein the king was not personally concerned. Mr. “ Carte treats professedly of this whole rebellion, in his Life of the Duke of Ormonde; and is by “ much the most copious and best writer upon it; but there are so many flagrant instances of “ his partiality for the king, and of his prejudice against the Irish ministers at the breaking out “ of the Irish insurrection, that he is never to be read, where the ill conduct of the first is palliated “ or the other censured, without the utmost caution. In the business of Lord Glamorgan particu- “ larly he is extremely culpable; and contrary to the evidence that was before him, throws all “ the blame of that transaction from the king upon his lordship. It may be said perhaps with “ some propriety, that *Nelson* and *Rushworth* are original English writers of this event: but the “ historical part of either, which reaches but a little way, is only to throw some light on the “ papers concerning Ireland, of which they give an useful, and for the most part a just collection. “ The first is as partial in his narrative on the side of the king, as the other on the side of the “ parliament: and they are both to be consulted with great allowance to their party zeal. As to “ all the writers of English history, who attempt to give any relation of this rebellion, having com- “ piled from some or other of the materials afore mentioned, they have copied likewise their mis- “ takes and imperfections: hence they are so inaccurate, partial, and uninformed, that whoever “ contents himself with the accounts that he meets with of it in any of our Histories of England “ (*not one excepted*), may be said to know little of it.” This same author, speaking, in the body “ of his history, of Mr. Hume’s gross infidelity in representing the conduct of Charles I. towards his “ Irish subjects, says (p. 359), “ To such miserable shifts are able men reduced, when they write “ to please a party, or to support a character without regard to truth! It is but very little that “ Mr. Hume hath said on this critical part of King Charles’s reign; but unless he could have said “ something much more to the purpose than he hath said, he had better have taken the way Lord “ Clarendon took, and have said nothing at all.”

* 3 Lel. p. 3.

“ was

“ was formed, and governed by an ecclesiastic of some note, for the education
 “ of Popish youth.” Scarcely, however, had Charles commenced his in-
 auspicious reign, than, fatally for himself and family, he launched into a
 career of insincerity which precipitated his own ruin, and accumulated evils
 upon those who were his real friends, and whom he was personally anxious
 to serve. His Irish Catholic subjects were the first unfortunate victims of
 this ungenerous, this ill-fated policy of the Stuarts. The Lord Deputy
 Faulkland is represented, by those who speak the most harshly of the Irish,
 as a man of more rectitude than ability, indolent and gentle, courting rather
 than terrifying the obnoxious and prevailing party. The instructions sent
 him from court were favorable to the Catholics, and he faithfully pursued
 them. But the Puritans highly resented this conduct, and loudly com-
 plained that the Popish worship was still maintained, and that the new
 seminary of the recusants in Dublin was not suppressed.* The Catholics
 were more than prudently elated with this species of negative indulgence
 and precarious favor, and, in the overflowing of their gratitude, offered to keep
 in pay, at their own charge, a constant body of 5000 infantry and 500 horse,
 for the service of his majesty. Faulkland, according to instructions, gave
 every encouragement to this seasonable relief to the fiscal difficulties of his
 sovereign. The Protestants, however, jealous of the power that this would
 place either in the hands of the Catholics or the crown, availed them-

* Dr. Warner, in his preface has favoured us with some observations upon the conduct of
 Charles towards his Irish subjects, well worthy of the most serious reflection of every person who
 feels an interest in the welfare of the British empire (p. xvii). “ It will be difficult perhaps to
 “ find in any age, or in any nation, a history which abounds with scenes of more variety and
 “ intrigue, or with events that are more interesting, than are to be met with here. But of the
 “ work itself, I will say no more than that it is full of such enterprises as will afford an instructive
 “ and a much unheeded lesson to mankind. It will instruct *princes* to consult the interest and
 “ inclination of their subjects, and not to govern by illegal and despotic power. It will instruct the
 “ *ministers* of princes, that their own passions, faction, and ill humour will produce as much mis-
 “ chief to the public peace and security of their master, as the most open villainy. It will instruct
 “ the *people* not to suffer and assist the folly, the forwardness, the pride and ambition of particular
 “ persons to govern the public understanding, and the venom of private interest to be mingled
 “ with the public good. These will appear to have been the means which Providence permitted
 “ to infatuate a people ripe and prepared for their destruction: and by suffering the weak to
 “ contribute to the ill designs of the wicked, and the wicked to be more wicked than they first
 “ intended, such a scene of horror and desolation followed as is scarcely to be equalled in any
 “ country.”

elves of the fanatic spirit of the day, and in the genuine cant of Puritanism, rejected the offer as the ungodly price of idolatry and superstition.*

Faulkland, still faithfully attentive to the instructions of his master, increased the indignation of the Puritan party: they were loud in their complaints to the English cabinet, and Charles sacrificed a faithful servant to the intrigues of his enemies. Faulkland was recalled, and the administration for the present entrusted to two lords justices, Viscount Ely the chancellor, and the Earl of Cork, the lord high treasurer of that kingdom. They, says Leland,† without consulting the ministry of England, or waiting for any instructions from the king, fell at once with great severity on the recusants, and threatened all absentees from the established worship, with the penalties of the statute enacted in the second year of Elizabeth's reign. They were however soon informed, that this severity was not acceptable to the king, nor deemed consistent with his present interests in Ireland. The difficulties however, which Charles experienced at home, soon made him lend an eager ear to those, who advised him that austerity to the Papists, was the only sure method of securing supplies. He dropped his lenient tenderness for the consciences of his Catholic subjects, and immediately the system of terrorism recommenced. The archbishop of the diocese, and the chief magistrate of the city, at the head of a file of musqueteers, entered the Catholic chapel in Cook Street on St. Stephen's day, whilst they were celebrating divine service: they seized the priest in his vestments at the altar, hewed down the crucifix,

* Usher, at the head of the prevailing party of the clergy, subscribed a declaration, which is to be seen App. No. XVIII. It was read before the state in Christ Church, Dublin, by Downham, bishop of Derry, upon whom it had so powerful an effect, that the offer was rejected with indignation: and was soon followed up with a proclamation, importing, that "the late intermission of legal proceedings against Popish pretended titular archbishops, bishops, abbots, deans, vicars general, jesuits, friars, and others deriving their pretended authority from the See of Rome, in contempt of his majesty's royal power and authority, had bred such an extravagant insolence and presumption in them, that he was necessitated to charge and command them in his majesty's name, to forbear the exercise of their Popish rites and ceremonies." Thus did the public act of the government contravene the private wishes and instructions of the king, to the fore grievance of one party, the irritation of the other, and the debasement and weakening of the executive power. The proclamation, says Leland (p. 5) "was published and received without the common respect due to an act of state, nor did the deputy think himself warranted to proceed to any farther severity."

† 3 Lel. p. 7.

and

and carried off all the sacred utensils and ornaments. After the first shock occasioned by this sudden and unexpected act of violence was abated, several of the congregation pursued the assailants with stones and rescued their clergyman. The representation of this incident to the English council produced an immediate order, which was carried into effect, for seizing fifteen religious houses to the king's use, and assigning the newly established seminary to the university of Dublin. The most rigorous execution of the penal laws was extended to every part of the kingdom:* and the king gave into the advice of the lords justices, that the army should be provided for out of the weekly fines to be imposed upon the Catholics, for absenting themselves from the established worship.† “We approve well,” said the king in his answer, “that this business as you desire may be presently put into such a state, as that the money, which shall by that means grow due unto us may be ready to be levied by Michaelmas next. And as the best and surest way to bring it to effect, we do hereby authorize and require you forthwith to assemble our council there, and with their privity to cause presentments to be duly made through the whole kingdom according to the law you mention doth appoint.” ‡As long as the lords justices continued

* The English council on this occasion acquainted the lords justices, “that his majesty in person was pleased openly and in a most gracious manner, to approve and commend their ability and good service: whereby they might be sufficiently encouraged to go on with the like resolution and moderation, till the work was fully done as well in the city as in other places of the kingdom, leaving to their discretion when and where to carry a soft or harder hand.” *Scrin. Sacr.*

† Lord Strafford's State Letters Vol. II. fol. 91.

‡ When Lord Wentworth (afterwards Earl of Strafford) was appointed deputy, he caused these presentments to be discontinued. “Not, says he (State Letters Vol. I. p. 75.) but that every good Englishman ought as well in reason of state as conscience, to desire the kingdom were well reduced to a conformity in religion: but because it is a great business, that has many roots lying deep and far within the ground, which should be first thoroughly opened before we judge what height it may shoot up to, when it shall feel itself once struck at, to be loosened and pulled up.” There had been much intrigue to commute the voluntary contribution for the support of the army, which was paid in common by the Protestants and Catholics, though the latter paid above nine parts in ten, for this penal fund, which was vainly represented by the lords justices and several bishops as a more certain and productive source of revenue. Wentworth, however, was of a different opinion: he reasoned upon the subject as a politician not as a philanthropist. (Ib. p. 76.) “He was therefore for continuing the contribution as it then stood, because he thought it more safe, considering the inequality of numbers, and the ill provision of the army, to take the contribution
“ against

tinued in the administration of Ireland, such presentments were made with extreme rigor, to the great grievance of the recusants, and comparatively small emolument of the crown: heavy fines also were imposed upon such juries as refused to find them.

If the Catholics felt themselves aggrieved by the severity of the late lords justices, much more reason had they to complain of the conduct of Lord Wentworth, who succeeded them. This nobleman, better known under his superior title of the Earl of Strafford, continued lord deputy from the year 1633, to the year 1641. As the close of his administration was the opening of what is usually termed the *great Irish rebellion*, it becomes the duty of the historian to scrutinize it with rigorous impartiality, in order to determine whether an event so closely preceded by a seven years administration of extraordinary austerity, were not fomented, accelerated, aggravated, or occasioned by that system of severity and terrorism. Upon this more than upon any other point of modern Irish history, are the English and Irish historians at open variance. The former from Temple, Borlase, Cox, Clarendon, and Carte, down to Leland, and Warner, all represent the reigns of the two first Stuarts, as the halcyon days of peace, felicity, and prosperity to Ireland.* The latter on the contrary, from Lord Castlehaven, the bishop of

“ against the will of the Protestants, than to raise the twelve-pence a Sunday against the liking of the recusants.” But his principal reason for not depending on the execution of this statute for raising this supply, was the uncertainty of its sufficiency, for (ib. 76) “ if it took that good effect for which it was intended, which was to bring the Irish to a conformity in religion, it would come to nothing, and so would prove a covering narrower than a man could wrap himself in.” Wentworth, who had by quitting the popular party which he had originally espoused, gained a strong ascendancy over the king’s judgement, with the help of Laud, brought over his majesty and the bishops to his way of thinking.

* Lord Clarendon in his vindication of Ormonde, says, “ it is not the bishop’s (i. e. titular bishop of Ferns) calling the ten years war in Ireland, *sanctum justissimum bellum*, or his saying they have undergone the most constant and severe persecution, for the profession of the Catholic Religion for the space of thirteen years, that can make the happy and blessed condition forgotten, which that nation was possessed of before their own unskilful rage and fury brought this war upon them.” He says moreover, that the whole nation enjoyed an undisturbed exercise of their religion; and even in Dublin, (where the seat of the king’s chief governor was) they went as publicly to their devotions, as he went to his: and though there were some laws still in force against them, “ yet the edge of those laws was so totally rebated by the clemency and compassion of the king, that no man could say that he had suffered prejudice or disturbance in or for his religion.”

of Ferns, Peter Walsh, down to Gheoghegan, O'Connor, and Currie, consider that rebellion, mainly occasioned and brought forward by the intemperate, cruel, and unconstitutional administration of the Earl of Strafford. In this wide difference of opinion, I shall barely refer to the leading circumstances of his administration, leaving the inference to the unbiassed reflection of the impartial reader. Leland, informs us, that few characters have been more the subject both of censure and panegyric, than that of the Lord Wentworth: that his enemies, and his admirers, have carefully inspected it: that his desertion of the popular cause in England, had rendered him odious to a party powerful, implacable, subtle, and indefatigable: that their rancour pursued him into Ireland, watched his conduct strictly, and interpreted his actions severely. He assumed his government, he says, with a mind and affection fixed on one single object, the immediate interest of his royal master: and happily the interest of the crown obliged him to study the improvement of the realm. He had heard of the turbulence and disorder of the country; and hence inferred the necessity of that severe and rigorous* administration, which suited his own austerity and arrogance. Ireland he considered as a conquered kingdom, in the strictest sense. He avowed and defended the opinion, under all the terrors of impeachment, when it was charged against him as a traitorous principle: and from the crude conception, he deduced a consequence at once ridiculous and detestable; that the subjects of that country had without distinction forfeited the rights of men and citizens: and for whatever they were permitted to enjoy, depended solely upon the royal grace. Such men he was naturally disposed to treat with contempt, and even the most distinguished of the Irish subjects, were of little consequence in the eye of an imperious nobleman used to the magnificence of the English court, distinguished even in the crowd of exalted personages, and known to enjoy an extraordinary portion of the

“ religion.” And “ in this blessed condition of peace and security, the *English* and *Irish*, the Protestant and *Roman Catholics*, lived mingled together in all provinces of the kingdom, quietly trafficking with one another, during the whole happy reign of King James: and from his death every degree of their happiness was encreased and improved under the government of his late majesty.”

* Dr. Warner thinks that the absence of the Earl of Strafford was one of the great occasions of the rebellion, (p. 17.) “ For the Earl of Strafford was too brave, too vigilant, and too high spirited a ruler not to have crushed such an insurrection in its birth.”

royal

royal favour. He assumed the reins of government with lively prepossessions and passions violently enflamed.

Wentworth, began to play off his insincerity upon the Catholics of Ireland, (they were then in the proportion of one hundred to one Protestant) even before he had taken possession of his government.* It has been before remarked, that for political reasons, he preferred any other mode of taxation to that of raising the necessary levies upon the consciences of the natives. In order therefore, to ensure to his royal master the continuance of the voluntary contribution† for one year longer, he tells us‡ that in order to make a trial of the temper of the Catholics (who had actually paid above two thirds of the former contribution) with regard to the continuance of it for a longer time, “ he sent a private messenger of his own to Ireland, who
 “ was himself a Catholic, with instructions to invite them to make an offer
 “ to his majesty, of half a subsidy to be paid the next year; upon condition
 “ that all further prosecution upon the statute of the 2d Elizabeth, might
 “ be respited till his coming over. The instrument I employed, (says he)
 “ knows no other, but that the resolution of the state here is set upon that
 “ course, and that I do this privately, in favour and well wishing to divert
 “ the present storm, which else would fall heavy upon them all, being framed
 “ and executed by the Earl of Corke, which makes the man labour in good

* For this we are able to vouch his own authority.

† In 1628, Lord Faulkland advised the Catholics to send agents over to King Charles and make him a personal tender of their services, who, says Leland, (2 v. p. 483) “ in despite of public
 “ clamor and suspicion, found a very favourable reception for their overtures. They made the
 “ tempting offer of a voluntary contribution of 120000l. to be paid in three years, by way of three
 “ subsidies, each amounting to 40000l. and each to be divided into equal quarterly payments.
 “ The graces which they solicited in consequence of this extraordinary exertion of loyalty, were in
 “ some instances indeed favourable to recusants, but such as in general were evidently reasonable
 “ and equitable, calculated for the redress of those grievances, which persons of all denominations
 “ had experienced, and tending to the peace and prosperity of the whole nation. The bounty
 “ was accepted, the graces conferred, and transmitted by way of instruction to the lord deputy and
 “ council.” The most important of these graces, which consisted of fifty one articles, (to be seen
 in Cox and Rushw.) were those, by which the subjects were secured in their possessions by limiting
 the king's title to sixty years, the recusants were admitted to sue their liveries, ouster le mains, and
 other grants out of the court of wards, Catholic barristers were permitted to plead for five years
 without the oath of supremacy. These being granted by proclamation only, the king pledged his
 word they should be confirmed by parliament.

‡ St. Let. 1 vol. p. 212.

“ earnest,

“ earnest, taking it to be a cause *pro aris & focis*.” Lord Antrim, who was then one of the principal leaders of the Catholic party, on behalf of himself and other Catholics, wrote to Lord Wentworth, that they were willing to continue the contribution to his majesty as it then was, until his lordship’s arrival in Ireland. The arrogance and haughtiness of the deputy, manifested themselves even to his own party on his first landing: he omitted to summon several members of the council to attend, and on the first day, after he had kept them waiting for above two hours, he slightly and without any apology, mentioned the subject upon which he had convened them; and when on the following day they shewed symptoms of displeasure at the continuance of the contribution, he superciliously assured them in plain terms, that no necessity induced him to take them in council on that business: for that rather than fail in so necessary a duty to his master, he would undertake upon the peril of his head, he would make the king’s army able to subsist and provide for themselves amongst them, without their help.* The menace had its effect: and he procured a written promise for the next year’s contribution from the Protestants, as it had that year proceeded from the Catholics, who ought not, said he tauntingly, to be permitted to be more forward than the Protestants in their cheerfulness and readiness to serve the king.† His proposal ‡to call a parliament was eagerly received, which they considered would supersede the necessity of any further contribution, so horribly afraid, says his lordship, were they that the contribution money would be set as an annual charge upon their inheritances, that they would redeem it at any rate.

It has been before remarked, that the influence of government was employed in the former reign, to establish a Protestant ascendancy by securing a Protestant majority in parliament. We must now judge of the parliamentary conduct of the new lord deputy, by his own account of it to Secretary Coke.§ “ I have this day, says he, sent out writs of summons, and “ with them about 100 letters in recommendation of such, as upon advice “ taken with this council, were held persons ablest and best for his majesty’s

* *i. e.* by free quarters. The Irish had frequently complained of the abuses of the military, which will appear from a report made in the preceding reign, by the commissioners appointed by James to enquire into grievances, App. No. XIX. Protection against this abuse was one of the graces recently purchased.

† St. Let. p. 98.

‡ Ib. p. 99.

§ St. Let. 1 vol. p. 259.

“ service,

“ service, having both in that and all the rest, used the utmost of my power
 “ and diligence, to get the house to be composed of quiet and governable
 “ men.” He has further favoured us with his method of marshalling the
 members when once returned. (*St. Let. ib.*) “ The lower house should
 “ be so composed, that neither the recusants, nor yet the Protestants, should
 “ appear considerably one more than the other: holding them as much as
 “ might be in an equal balance, as being thus easier to govern. And then
 “ in private discourse to shew the recusants, that if the late contribution
 “ ending in December of his majesty’s army was not supplied some other
 “ way, the twelve pence per Sunday must of necessity be exacted from them.
 “ And on the other hand, to shew the Protestants that his majesty’s army
 “ must not let go the 20,000*l.* contribution, nor yet that he would discontent
 “ the recusants in matter of religion, till the army were else certainly pro-
 “ vided for.” And for the purpose of varying the balance of votes ac-
 cording to the exigency of circumstances, this wary deputy acknowledges
 the nature of the *corps de reserve*, which he constantly kept at command.
 “ I shall labour to make as many captains and officers, burgeses in this
 “ parliament, as I possibly can, who having immediate dependance upon
 “ the crown, may always sway the business between the two parties, which
 “ way they please.” We see by a further letter from his lordship to Secretary
 Coke, how much beyond his instruction he pushed his arrogance and au-
 sterity to the Catholics. For when the Earl of Fingal represented to him,
 that it had ever been usual for the lords of the Pale to be consulted concern-
 ing the parliament, and the matters to be therein propounded, he told this
 nobleman, that assuredly his majesty would reject with scorn all such fo-
 reign instructors: that the king’s own councils were sufficient to govern his
 own affairs and people, without borrowing from any private man whatsoever.
 But being rather diffident of the king’s approval of this harshness towards
 the lords of the Pale, he adds, “ If I may from you gather it was too much,
 “ I will put some water in my wine, and express it more mildly to his
 “ majesty’s contentment, as well in the manner as the matter.”*

When the parliament had met, the lord deputy in his speech informed
 them, “ that his majesty expected 100,000*l.* debt to be discharged, and 20,000*l.*
 “ a year constant and standing revenue, to be set apart for the payment of

* *St. Let.* 1 vol. p. 247.

“ the army: and that his majesty intended to have two sessions of that parliament, the one for himself, the other for them: so as if they without conditions supplied the king in this, they might be sure his majesty would go along with them in the next meeting, through all the expressions of a gracious and good king.” It is painful to acknowledge that the king himself must have combined with Wentworth in deceiving his Irish subjects: he acknowledged* that a free gift of 120,000*l.* had been given to his majesty for the proclamation and royal promise to get it confirmed in the first parliament that should sit; and that in the year 1631, 106,280*l.* 16*s.* 2½*d.* had been paid towards it. It was determined however to break through the promise at all events, and should the deputy not have the address to get the supplies voted before the performance of the condition entered into with the Irish nation, to dissolve the parliament, and raise the supplies in some other manner. The king under this impression, assured his deputy, “ that it would not be worse for him, though that parliament’s obstinacy should make him break with them, for I fear, says his majesty, that they have some grounds to demand more, than it is fit for me to give.” The deputy however, took uncommon pains to persuade the parliament, that in case of their unconditional grant of the supplies, the king would confirm the promised graces; for surely, said he “ so great a meanness cannot enter your hearts, as once to suspect his majesty’s gracious regards of you, and performance with you, where you affie yourselves upon his grace.” We can more readily conceive, than express that determined dissimulation, which dictated this insidious speech to parliament, when Wentworth had not only advised the king to break his solemn promise, but had engaged to take upon himself all the obloquy, infamy, and danger of this breach of faith with the nation; and for which the king soon after thanked him in a letter written in his own hand.†

The

* *St. Let.* 1. vol. p. 68.

† “ WENTWORTH,

“ BEFORE I answer any of your particular letters to me, I must tell you, that your last dispatch has given me a great deal of contentment, and especially for the keeping off the envy of a necessary negative from me, of those unreasonable graces that people expected from me.”

St. Let. 1 vol. p. 331.

That it was the concerted and settled plan both of Charles and his deputy, to deceive and defraud

The commons relying upon the promises of the deputy, voted six entire subsidies, amounting to 240,000*l.* a sum far exceeding his most sanguine expectations, and in return they drew up a remonstrance* concerning his majesty's promised graces, particularly in relation to the enquiry into defective titles, and deputed Sir George Radcliffe, master of the rolls, Sir James Ware, and nine other respectable members to present it to the deputy. Soon after the meeting of the second session of this parliament, (12th of November 1634) the commons were ordered into the presence chamber to receive the lord deputy's answer. By this he informed them with fullen imperiousness,† that he would not transmit to England the statute 21 *Jacobi*; but that such refusal was his own; their request‡ never having been so much as sent over by him: that passing this act to prevent enquiry into defective titles, was not good and expedient for the kingdom at that time, and so they were to rest satisfied without stirring any more as to that particular, as a thing, which could not, nor would not be departed from. It is obvious, from their vast preponderancy both in numbers and property at this time, that this answer was chiefly, if not solely intended to affect the Catholics, who from it, says Wentworth,§ “were so ill to please, that “they lost all temper, and broke forth into such froward fulleness, as was “strange; rejecting hand over head every other bill, that was offered them “from his majesty and the state.”

defraud the Irish, who had upon the faith of the king, purchased these graces for 120,000*l.* is not only evident from *their own* words, but is further proved by the admission of our own historians. *Carte* (Orm. p. 61.) says, “he was not without apprehension, that the parliament might press for “a confirmation of all the graces given the 24th of May, 1628, in instruction to Lord Faulkland; “many of which, if established by a law, would not sort either with his majesty's present profit, “(for that of limiting the title of the crown to sixty years, would alone lose him 20,000*l.* per “annum) or with the power requisite to be upheld for the future in the kingdom.” Vide *Rushw.* 2 vol. p. 210.

* Quod vide App. No. XX.

† Wentworth tells us, that he had already resolved to give them an “answer round and clear, “and such as would stifle all replication.” (St. Let. 1 vol. p. 338.)

‡ This assertion was a direct falsehood: for he says in a letter to Coke of the 6th of October 1634, “that he sends the petition of the lower house, relative to these graces: and that the ground of “denying all, may be set upon him and the council: and so his majesty preserved from all colour of “declining in any part of that which they expected. *St. Let. p. 304.*

§ St. Let. p. 304.

The

*The subsequent conduct of the deputy clearly explained what he meant by *the inexpediency to the kingdom*, which the observance of the king's promise would at that time create. For he instantly set about his grand and favourite plan of inquisition into the king's title to the whole province of Connaught: of which Leland thus speaks.*† "Wentworth was impatient
 " to signalize his administration, by a service of immediate and extensive
 " emolument to his royal master. His project was nothing less, than to
 " subvert the title to every estate in every part of Connaught, and to establish
 " a new plantation through the whole province. A project, which
 " when first proposed in the late reign, was received with horror and amazement,
 " but which suited the undismayed and enterprising genius of Lord
 " Wentworth. For this he had opposed the confirmation of the royal
 " graces transmitted to Lord Faulkland, and taken to himself the odium
 " of so flagrant a violation of the royal promise. The parliament was at
 " an end, and the deputy was at leisure to execute a scheme, which as
 " it was offensive and alarming, required a cautious and deliberate procedure."

The daring efforts of mercenary informers, the penetrating researches of rapacious adventurers, and the overstrained ingenuity of court lawyers, were all employed by Wentworth in forwarding his darling project. He proceeded at the head of the commissioners of plantation to the western province. He had previously intimidated the county of Leitrim into a voluntary recognition of the king's title and submission to a plantation. He next entered upon Roscommon: and there the king's title was unexceptionably found without scruple or hesitation. If we give credit to Wentworth's own accounts of the preparations and dispositions he had made

* One particularity attended the administration of Wentworth, which is to be traced in no other either before or since his time: namely a disregard to every description of persons, who were not servilely devoted to his despotism. He convened a national synod or convocation of the Protestant clergy, in which he forced upon them the thirty-nine articles of the Church of England, more as Leland observes (3 v. p. 28) by the influence of his authority, than the "inclinations of a great
 " part of the clergy, although but one member of the convocation ventured publicly to avow his
 " dissent. These regulations in the ecclesiastical system were followed by an establishment too
 " odious, and therefore too dangerous to be attempted during the sessions of parliament, that of an
 " high commission court, which was erected in Dublin after the English model, with the same formality and the same tremendous powers."

† 3 Lel. p. 30. 31.

to secure the success of this project, we shall agree with Leland's observations, that the presence and interposition of a lord deputy, and a deputy whose character and temper were fitted to operate on men's passions, had probably their full effect on this occasion.* He told the juries, that his majesty's intentions in establishing his undoubted title, was to make them a rich and civil people; that he proposed not to deprive them of their just possessions, but to invest them with a considerable part of his own: that he needed not their interposition to vindicate his right, which might be established in the usual course of law, upon an information of intrusion; but that he wished his people to share with him in the honour and profit of the glorious and excellent work he was then to execute. To his majesty it was indifferent, whether their verdict should deny or find his title. If they were inclined to truth and their own interests, they were to find the title for the king: if to do that, which was simply best for his majesty, without regard to their own good, the deputy advised them roughly and pertinaciously to deny to find any title at all.† Mayo and Sligo followed the example of Roscommon, and found for the king. But the Galway jury less pliant, did not find the king's title; and we learn from the deputy's own words how he treated them, the sheriff and council on this account. ‡ "We bethought ourselves, says he, on this occasion, of a course to vindicate his majesty's honor and justice, not only against the persons of the jurors, but also against the sheriff for returning so insufficient, indeed we conceive, so packed a jury, and therefore we fined the sheriff in a 1000*l.* to his majesty. The jury were fined 4000*l.* each; their estates were seized and themselves imprisoned, till the fines were paid." Such was the sentence pronounced against them in the castle chamber,§ to which his lordship had

* St. Let. 1 v. p. 443.

† St. Let. 1 v. p. 442. Wentworth adds, that after this speech to the jury, "there I left them to chant together, as they call it, over their evidence, and the next day they found the king's title without scruple or hesitation."

‡ St. Let. 1 v. p. 451.

§ This appears to have been the practice of his predecessors on similar occasions, which evidently was not the most effectual mode of reconciling the affections of the Irish to the humane laws, and mild government of England. "The star chamber, (said Lord Deputy Chichester in 1613) is the proper place to punish jurors, that will not find for the king upon good evidence." *Def. Cur. Hib.* 1 v. p. 262.

bounden them over, and where he conceived, “*it was fit that their pertinacious carriage should be followed with all just severity.” And, “†as for the counsellors of the law, says he, who so laboured against the king’s title, we conceive it is fit that such of them as we shall find reason to proceed withall, be put to take the oath of supremacy, which if they refuse, that then they be silenced and not admitted to practice.” However ready the deputy had at first been to bear the personal odium of the king’s breach of promise and faith to his Irish subjects, yet latterly there appears to have been a mutual engagement between the king and deputy to assume conjointly the blame and infamy of each other’s conduct towards that unfortunate nation. Wentworth assures us, that upon his making a report to the king and council of these proceedings, his majesty said, “it was no severity, wished him to go on in that way; for that if he served him otherwise, he should not serve him as he expected. So I kneeled down,” adds he, “kissed his majesty’s hand, and the council rose.”‡

It

* St. Let. ubi supra.

† St. Let. 1 Vol. 454.

‡ Were it not for these avowals by the parties themselves, one could be scarcely induced to credit the grounds upon which the commons of England voted the following amongst other grievances under Strafford’s administration, to be real: viz. “That jurors who gave their verdict according to their consciences, were censured in the castle chamber in great fines; sometimes pillored, with loss of ears, and bored through the tongue, and sometimes marked in the forehead, with other infamous punishments.” We have indeed his own testimony for the various cautionary practices he was wont to use on these occasions. In a letter to the secretary, he says (*St. Let. 1 vol. 353.*) “This house is very well composed, so as the Protestants are the majority; and this may be of great use to confirm and settle his majesty’s title to the plantations of Connaught and Ormonde; for this you may be sure of; all the Protestants are for plantations, all the other against them: so as these being the greater number, you can want no help they can give you therein. Nay, in case there be no title to be made good to these countries in the crown, yet should I not despair forth of reasons of state and for the strength and security of the kingdom to have them passed to the king by an immediate act of parliament.” And in the same letter he adds, “that he considered that majority of the Protestants in the house of commons as a good rod to hold over the Papists.” And (*St. L. 442*) he further informs us, that he had given special directions to have men of fortune returned upon the juries in Connaught, for the first trials of the defective titles, because this being a leading case for the whole province, it would set a value in their estimation upon the goodness of the king’s title, if found by those persons of quality. And on the other hand, if the jury should prevaricate, he would be sure then to have persons of such means, as might answer to the king in a round fine in the castle chamber: and because the fear of that fine would be apter
to

It was impossible, that some complaints of the harsh, imperious, and unjust administration of Wentworth should not reach the royal ear: but his influence upon the mind of Charles was proof against all the efforts of his enemies. He was, indeed, recalled, but upon representing his own case to the king, besides receiving the order of the garter and earldom of Strafford, he was confirmed in his station, under the more honorable title of lord lieutenant. The king's necessities obliged him to call parliaments both in England and Ireland: and although the Irish parliament readily voted six more subsidies, the commons considering supplies and grievances to go hand in hand, presented a very strong petition of remonstrance,* setting forth in fourteen separate articles, the grievances that nation then laboured under. Strafford being justly alarmed at the progress and conduct of the Scotch covenanters, and perceiving the affairs of his royal master, both in England and Scotland, to be on the decline, raised a body of 9000 men in Ireland, 8000 of which were Roman Catholics; well knowing that he could rely upon their loyalty and zeal for his majesty's crown and dignity. The Irish,† said he, "were as ready for this purpose to venture their persons, as they were to open their purses." Conscious, however, that he was represented in England (and not without reason) as obnoxious to this body of men, he conceived, nevertheless, the vain ambition of commanding them in the field:‡ he laboured, therefore, privately to persuade the king,§ "that the Irish did not distate him so much, as willingly to change him, or to desire any new deputy in his stead, and that if it were left to their choice, they would not have any other general but himself." Although the arrogance and

"to produce the desired effect in such persons, than in others, who had little or nothing to lose." He elsewhere (Ib. 339) admits, "that he enquired after fit men to serve upon juries; and treated with such as would give furtherance to the king's title." And he also proposed the raising of 4000 horse as good lookers on whilst the plantations were settling. And in still further promotion of this favorite scheme, he prevailed upon the king to bestow twenty per cent. or one full fifth of the value of all the estates to the lord chief justice and chief baron. Which he says (*St. Let.* 2 vol. 41) "he had found upon observation, to be the best given that ever was: for that by these means, they did intend that business with as much care and diligence as if it were their own private: and that every four shillings once paid would better his majesty's revenue four pounds."

* Quod vide in App. No. XXI.

† *St. Let.* 2 vol. passim.

‡ A high, though ungracious compliment to the men whom he had ever disliked and persecuted.

§ Ibid.

pride of Strafford prevented him from being beloved by individuals, his vanity and ambition rendered him greedy of public admiration and esteem: finding therefore his power on the decline, he descended to the pitiful shift of forcing his own eulogy upon the national records by means of his creatures in parliament. The preamble of the last act of subsidies contains the most fulsome forced panegyrick of his *sincere and upright administration*, with thanks to his majesty for having placed over them so *wise, just, and vigilant a governor*. These very commoners, however, in the very next session of parliament, entered into a solemn protestation (in which they were joined by the lords), “*that the aforesaid preamble to the act of subsidies
 “ was contrived, penned, and inserted fraudulently (without the privity of
 “ the house, either by the earl of Strafford himself, or by some other person
 “ or persons advisors, procurors, or actors of or in the manifold and general
 “ grievances and oppressions of his majesty’s kingdom of Ireland, by the di-
 “ rection and privity of the said earl, on purpose to prevent and anticipate
 “ the just and universal complaints of his majesty’s faithful, dutiful, and
 “ loving subjects against him.” It is well known, that the Earl of Strafford was attainted by the English parliament of high treason, and suffered death as a traitor, and that the attainder was afterwards reversed by parliament under Charles II. upon the grounds that the turbulent party not being able to convict him of any single act of treason, had framed, and by force and violence passed an act for his attainder for *accumulative or constructive* treason. In making every allowance for the opposite extremes of party prejudice in the years 1641 and 1660, we must not dissemble, that Strafford, though innocent of treason, was guilty of high misdemeanors; and considering the force of example and the evil consequences of high misdemeanors in the supreme governor of a kingdom, it is but a tribute of justice to a much traduced nation, to lay before the public the solemn and considerate judgment of their sovereign, upon those very acts of his friend and favorite, of which he saw but too late the mischief and enormity. Within a fortnight before the execution of the Earl of Strafford, his majesty made a speech to the house of peers, in which after telling them that he had been present at the hearing of that great case from one end to the other; “I must, says he, tell you, that

* 1 Journ. Com. of Ireland, 176. As this protestation throws strong light upon the temper of the Irish, immediately before the grand rebellion, it is given in the Appendix, No. XXIII.

" I cannot in my conscience condemn him of high treason, &c. I desire
 " rightly to be understood : for though I tell you in my conscience I cannot
 " condemn him of high treason, yet I cannot say I can clear him of misde-
 " meanures, &c. Nay, for misdeameanures I am so clear in them, that
 " though I will not chalk out the way, yet I will shew you, that I think
 " my Lord Strafford is not fit hereafter to serve me, or the common-wealth,
 " in any place of trust; no, not so much as a constable."*

Although Charles had given this solemn testimony of the misconduct of Strafford, yet so implicated was he in his lordship's system of governing Ireland, that he appointed by Strafford's recommendation his kinsman and creature Sir Henry Wandsworth, to succeed him. Fear, despair, and grief, brought on by the violent and oppressive administration of Strafford, soon occasioned the death of the new deputy. So infatuated however was the king with the system of his favorite, notwithstanding he had pronounced him unworthy to be even a constable, that he appointed Lord Dillon, the friend and relative of Strafford, and Sir William Parsons, lord justices of that kingdom; but finding that Lord Dillon was not agreeable to the Irish nation because of this intimacy and alliance, he cancelled the commission, and appointed Sir John Borlase, master of the ordnance, in his room. †No sooner, says Warner, were these ministers possessed of their high power, than they endeavoured to put the government on its former footing: in order to mollify the sharp humours, which some of the rigid measures of the Earl of Strafford's administration had introduced; the known laws of the land were made the standard of their government: and they gave all due encouragement to the parliament then sitting, for the ease and accommodation of his majesty's subjects in some important articles. Happy had it been for the king and kingdom that this system had been ever pursued!

Charles finding, that his frequent breaches of faith with the Irish, and the avowed misdemeanors of his favorite Strafford had tended greatly to estrange the affections of his Irish subjects, made one more effort to recal their attach-

* After this testimony, what faith can be given to Carte, and our other historians who follow him, telling us, " that there could not be a higher or juster eulogium given of a governor, and of
 " his upright and impartial administration by any body of men, than was given of this lord lieutenant and his administration by this house of commons: it was given *nemine contradicente*, and
 " passed with loud and general acclamation of applause." 1 Orm. 107.

† Warner's Hist. of Reb. p. 5.

ment by a fresh pledge of his royal word. He wrote to the lords justices a public letter* of assurance that his loving subjects should from thenceforth enjoy the graces promised to them in the fourth year of his reign. Soon after the receipt of this letter, the parliament adjourned: and the lords justices, as they had been instructed, issued a proclamation of all his majesty's grants and graces, that they might be known to the people. So little however were they even now disposed to discredit the word of their sovereign, that the new proclamation seemed to have produced a total oblivion of the breach of the former: general satisfaction prevailed, in full confidence, that the laws, to which the people now considered themselves entitled by compact and purchase, would be passed at the meeting of the parliament. During this recess the grand rebellion broke out, or rather was proclaimed.

In order to form an unbiassed judgment of this period of Irish history, we must attend closely to the power and ascendancy, which the Puritan party then had acquired in that kingdom. In many points of view it was more extensive and powerful than in England: for the spirit of it not only pervaded every department of the state, civil, military, and clerical, but their efforts being chiefly directed against the Catholics, were eagerly seconded by all the Protestants of that kingdom; the destruction of Popery being a common object of their mutual zeal. The Puritans dreaded the loyalty more than the religion of the Catholics; but by persecuting them on the score of religion, they attacked their means of supporting the royal cause, and associated all other Protestants with them, whilst they could thus mask their batteries against the throne. As long therefore as the independants could keep up the division of Ireland into *Catholic* and *Protestant*, so long were the loyal Protestants deceived in the assistance they gave to the arms of those rebels. It is impossible to fix the day on which the usurped power of the parliamentarians commenced, and the constitutional power of the crown ceased. From the moment of that usurpation, resistance to the parliamentary power, was loyalty, not treason. The Irish Catholics were the first and last in arms for King Charles†. It was their boast and glory to oppose

* As the beginning of this letter shews the purport of the whole, it is to be seen in the Appendix, No. XXIV.

† I know of no better authority than that of Lord Strafforde, to prove the extraordinary loyalty and affection of his majesty's Irish Catholic subjects, however prone others have been to traduce

oppose all the king's enemies, notwithstanding the duplicity and severity they had experienced from the crown. The Puritans wished to raise the Catholics in arms, especially, whilst they could command the co-operation of the other Protestants to subdue them. And thus it is evident, that in Ireland the Puritan party for a considerable time continued to forward their rebellious designs against the throne, under the appearance of loyalty and submission to the royal authority, and with the concurrence of his majesty's arms. In every quarter of the kingdom, in every department of government, they found means to foment and raise what they called a Popish rebellion. The lords justices, *Borlase* and *Parsons* prevented the bills of grace from passing, in direct contravention of the king's commands, they revived the persecution to the highest degree of irritation against the Catholics, and published throughout that kingdom certain petitions presented to the parliament of England, which were applications for the means of destroying the religion;

and vilify them. He tells the King in a letter on the 23d of March, 1639: "This very evening the supply was propounded in the house of commons, and four subsidies assented with all possible cheerfulness, together with a declaration that they will further supply your majesty with their estates and fortunes to the very uttermost, desiring this declaration may be printed together with the bill for subsidies, &c. In one word, your majesty may have with their free good will as much as this people can possibly raise. Next, your majesty may as safely account yourself master of their lives and fortunes, as the best of kings can promise to find amongst the best of subjects; and that if those in England comply with the like alacrity, and minister to your majesty's princely designs and purposes, you will be at an end of the war before it begins. My next endeavour is, to settle the levies for the 8000 foot, and for ordering those other great incidents accompanying so great a design, as will be the transportation and maintenance of so great an army, wherein I will not lose an hour, or suffer this nation to cool on my hands, whose zeal is all on fire to serve your majesty on this occasion." (2 vol. St. Let. 396.) In a letter from thirteen privy councillors to secretary Windebank on the same day, it is said, "which we mention for the glory of his majesty, that hath so good and loyal subjects." Strafford on the next day, in a letter to Windebank, says, "As in their purses, so also in their persons I find them most earnest to venture them in his majesty's service," (399) and in the postscript to that letter, viz. on the 28th of March, he adds, "In truth, there cannot better be desired of them than they are willing to effect." In this very letter to Windebank, he gives us full proof of his contempt of the Irish, and a strong implied avowal, that he had not theretofore consulted their wishes and happiness: "Next, I will pass the royal assent upon the bills of subsidies, and two or three bills of grace, which will be also ready, and so adjourn till after Whitsuntide, dismissing them with the best words I can possibly give them, to make them in love and liking with what they have done: and afterwards to the utmost of my power always minister to their fitting contentment and satisfaction, as in truth they passing well deserve." If he had been sincere in this, his future conduct towards them, would have been widely different from the past.

lives,

lives, and estates of the Catholics of Ireland. The Scotch covenanting army published the like resolutions, and the Irish believed them earnest in their declarations that they would extirpate all the Catholics from the province of Ulster, and enforce the covenant by the rope and the sword. Under these menaces and alarm, some few of the northern Catholics associated and armed in self-defence against those whom they considered enemies to God and their king. Some private views will always on such occasions be mingled with the common cause. Lord Clanricarde, who had just arrived from England at this juncture, said, however that “* none appeared in this detestable conspiracy, or entered into action, but the remains of the ancient Irish rebels in the north, and some of the planted county of Leitrim.” But how did the king himself speak of this rebellion?

“† The commotions,” says his majesty, “in Ireland were so sudden and so violent, that it was hard at first either to discern the rise, or apply a remedy to that precipitant rebellion. Indeed that sea of blood, which hath there been cruelly and barbarously shed, is enough to drown any man in eternal infamy and misery, whom God shall find the malicious author or instigator of its effusion.” It is not difficult to decypher, that the royal apologist meant to lay this rebellion to the account of the Puritan party of that day, charging them with thinking, “they cannot do well but in evil times, nor so cunningly, as in laying the odium of these events on others, wherewith themselves are most pleased, and whereof they have been not the least occasion. And certainly it is thought by many wise men, that the preposterous rigor and unreasonable severity, which some men carried before them in England, was not the least incentive that kindled and blew up those horrid flames, the sparks of discontent, which wanted not predisposed fuel for rebellion in Ireland: where despair being added to their former discontents, and the fear of utter extirpation to their wonted oppressions, it was easy to provoke to an open rebellion a people prone enough to break out to all exorbitant violence, both by some principles of their religion, and the natural desires of liberty; both to exempt themselves from their present restraints, and to prevent those after-rigors wherewith they saw themselves apparently threatened by the covetous zeal and uncharitable fury of some men, who think it a great argument of the truth of their religion, to endure no other than their own.”

* Clan. Mem. 68.

† Εἰκὼν Βασιλέως. p. 50. 51, &c.

“I would

“I would to God no man had been less affected with Ireland’s sad estate than myself. I offered to go myself in person upon that expedition*: but some men were either afraid I should have any one kingdom quieted, or loath they were to shoot at any mark less than myself: or that any should have the glory of my destruction but themselves. Had my many offers been accepted, I am confident neither the ruin would have been so great, nor the calamity so long, nor the remedy so desperate.”

“But some kind of zeal counts all merciful moderation, lukewarmness, and had rather be cruel than counted cold; and is not seldom more greedy to kill the bear for his skin, than for any harm he hath done: the confiscation of men’s estates being more beneficial, than the charity of saving their lives, or reforming their errors.” And, “I believe it will at last appear, that they, who first began to embroil my other kingdoms, are in great part guilty, if not of the first letting out, yet of the not timely stopping those horrid effusions of blood in Ireland.” So spoke the king even from the partial accounts transmitted to him by his own favorites, who were generally enemies to Ireland.

It is not to be dissembled, that in an affair of such diversified moment, a vast variety of causes must have co-operated to produce the effects, which so deeply affected the state. We are assured by different authors, that many were excited to rebellion by the success of the Scotch covenanters, who, by their irruption into England, had obtained the sum of 200,000*l.* to induce them to return quietly into their own country; others, from the dread of the menaces of the covenanting army in Ireland, that they would extirpate every priest and Papist out of the nation: that some of them embarked in it from zeal to their own, and others from abhorrence of the reformed religion under all its different forms and denominations; that all the Puritans, and most other descriptions of Protestants, seized with that turbulent and restless spirit, which then agitated England, closely followed its examples by opposing all royal authority whatever: that numbers of the old Milesian Irish seized upon this moment of confusion and weakness in the English cabinet, to revive and enforce their ancient claims to the kingdom, which they still considered as usurped by the English, and withholden from them by no other

* Sir E. Walker says (Hist. Disc. 231) that this proposal was ill taken by the commons, as fearing the rebels might submit to his majesty, and so become his in opposition to their designs.

right or title than of force: that no inconsiderable portion of the nation was stimulated into insurrection by their clergy who had been educated abroad in hopes of procuring a civil establishment of the Catholic religion, and other foreign emissaries from courts, whose politics prompted them to weaken the power of the British empire by the internal dissensions of its subjects: in a word, that numberless individuals, bereft of their possessions by plantations and forfeitures, persecuted for the exercise of their religious duties, or prevented from any useful or permanent occupation by the effects or abuse of the penal laws, or the indolence of their own dispositions, composed a formidable body of malcontents, who sought redress, preferment or existence in the confusion of commotion and turbulence. These various motives probably operated upon the individuals: but the main source of the evil lay in the existence of real grievances, which formed a plausible rallying point to all. And it is incontestible, that such at this time was the prevalence of the Puritan party in Ireland, such their arrogance, ferocity and power, such their avowed hatred to the Catholics, and such their still dissembled but active enmity to royalty, that the most serious apprehensions of an immediate general massacre or extermination of the whole body of the Catholics were generally entertained throughout the kingdom.* There prevailed at this time

* This amongst many other documents appears by a remonstrance presented at that time by the northern nobility and gentry to the king, which is to be seen in *Def. Cur. Hyb.* 2 vol. 86, and contains the following passage. "There was a petition framed by the Puritans of this kingdom of Ireland, subscribed by the hands of many hundreds of them, and preferred to the house of commons of the new parliament of England, for suppressing our religion and us the professors thereof residing within this kingdom of Ireland: which as we are credibly informed, was condescended unto by both houses of parliament, there, and undertaken to be accomplished to their full desires, and that without the privy or allowance of your majesty." And Dr. Anderson in his *Royal Genealogies*, p. 786, says, "That the native Irish being well informed as they thought (in 1641) that they now must either turn Protestant or depart the kingdom, or be hanged at their own door: they betook to arms in their own defence, especially in Ulster, where the six counties had been forfeited." About this same time a very strong and dispassionate remonstrance from Cavan, said to have been drawn up by bishop Bedel, was presented to the lords justices: and Burnet in his life of Bishop Bedel owns, that this remonstrance gives the best colors to their proceedings of any of their papers he had ever seen: (*Vid. App. No. XXII.*) "The northern plantations, says Leland (3 Vol. 89) could not but be offensive to the old Irish: and those among them that submitted and accepted their portions of land, complained that in many instances they had been scandalously defrauded. The revival of obsolete claims to the crown, harassing of proprietors by fictions of law, dispossessing

time a conviction that the armed force in Ireland* was, generally, hostile to the king, and that the English parliament had either by concession or usurpation, acquired the government of the kingdom of Ireland.† All the remonstrances of the Catholics expressed their loyalty to his majesty, and tenders of service against his enemies; for such from that time they considered the covenanters, and all those who supported or adhered to them: and their complaints generally ran against the harshness, arrogance, and injustice of their immediate governors.

On the 23d of October, 1641, the lords justices issued a proclamation, by which they declared, "that a discovery had been made of a most disloyal and detestable conspiracy, intended by some evil affected Irish Papists, universally throughout the kingdom." Whether this misrepresentation of the universality of the conspiracy arose from malice or design, certain it is, that the lords and gentlemen of the Pale immediately represented in a petition to the lords justices and council, that they and other innocent persons might seem to be involved as Catholics in the general terms of the proclamation; whereupon on the 29th of the same month, they sent forth an explanatory proclamation, declaring, that by the words "*Irish Papists* they intended only such of the old Mere Irish in the province of Ulster as had plotted, contrived, and been actors in that treason,

"dispossessing them by fraud and circumvention, and all the various artifices of interested agents and ministers, were naturally irritating. And the public discontents must have been further enflamed, by the insincerity of Charles in evading the confirmation of his graces; the insolence of Strafford in openly refusing it, together with the nature and manner of his proceedings with the proprietors of Connaught."

* I speak not of that armed force of 8000 men, which had been raised by Lord Strafford to be led into Scotland, and which was disbanded in June 1641, without any inconvenience or disorder in the nation at that time. *Carte Orm.* 1 vol. p.134. The 1000 Protestants of this body were sent back to their old corps, from whence they had been drafted. Of the loyalty and zeal of this corps, Strafford has left us the following eulogies. *State Letters*, 2 vol. "It is hardly to be believed what forwardness there is in these people to serve in this expedition (against the Scots). Certainly they will sell themselves to the last farthing before they deny any thing which can be asked of them in order to that." And in another letter he tells the king, "they are all on fire to serve his majesty."

† With reference to this idea, Dr. Warner said (*Hist. of Reb.* p.5.): "So that he might further testify his resolutions to make his Irish subjects easy under his government, in the beginning of May he appointed the Earl of Leicester, and not the English parliament, as Ludlow says, lord lieutenant of that kingdom."

"and

“ and others that adhered to them; and none of the old English of the
 “ Pale or other parts of the kingdom.”* Here I wish to draw an im-
 pervious veil over every scene of blood and horror which defiled the actors,
 as well as over the imaginary fictions and exaggerations which have dif-
 graced most of our historical relations of these transactions.† Suffice it to
 say, that there appears to have been no preconcerted system or preparation

* It is devoutly to be wished, that one injunction of this latter proclamation had been attended to; for by it the lords justices enjoined all his majesty's subjects, whether Protestants or Papists, to forbear upbraiding matter of religion on this occasion.

† There are no bounds to the exaggerations of our historians, as to the number of Protestants said to have been massacred by the Irish in this rebellion. Sir John Temple says, that 150,000 Protestants were massacred in cold blood, in the two first months of the rebellion. Sir William Petty coolly calculates 30,000 British were killed, out of war, in the first year of this insurrection. And Lord Clarendon laments, that in the first two or three days of it, 40 or 50,000 of them were destroyed. Dr. Warner, though very adverse to the Irish, confesses, that he could only collect from positive evidence and report for the first two years, that 4028 were killed, and that 8000 died of ill usage; which he says was corroborated by a letter in the council book, at Dublin, written on the 5th of May, 1652, from the parliamentary commissioners in Ireland to the English parliament: which, in order to excite the parliament to greater severity or at least less lenity towards the Irish, tells them, that it then appeared, that besides 848 families, there were killed, hanged, and burnt, 6062. In justice, however, to Lord Clarendon, it must be mentioned, that he admits one fact that contradicts most of our authors, and is contrary to the generally received notion, that this rebellion first broke out by a *general massacre* of all the Protestants that could be found, in cold blood. “ About the beginning of November (says he), 1641, the English and Scotch forces in
 “ Carrickfergus, murdered, in one night, all the inhabitants of the island Gee (commonly called
 “ *Mac Gee*), to the number of above 3000 men, women, and children, all innocent persons, in
 “ a time when none of the Catholics of that country were in arms or rebellion. Note that this
 “ was the first massacre committed in Ireland, of either side.” *Clar. Hist. Rev. of the Affairs of Ireland*, p. 329. This pathetic lamentation of Clarendon, which he must have known to be false, is to be placed to the account of his zeal for the good cause, and to be considered as one of the pious ejaculations of a sore frightened and irritated mind, which he completely falsifies when he returns to the duty of an historian. For how could 40,000 or 50,000 Protestants have been massacred within the two or three first days of the rebellion, which began on the 23d of October, when he tells us, that the 3000 Irish Papists massacred by the Protestants in the ensuing month, was the first massacre of either side. His lordship also gives this testimony of the Irish suffering without retaliation in Munster: “ In Decy's county, the neighbouring English garrisons of the county of
 “ Cork, after burning and pillaging all that county, they murdered above 300 persons, men, wo-
 “ men and children, before any rebellion began in Munster, and led 100 labourers prisoners to
 “ Caperquine, where being tried, by couples were cast into the river, and made sport to see them
 “ drowned. Observe that this county is not charged with any murder to be committed on Pro-
 “ testants.” *Ibid.* p. 396.

for a rising on the part of the Irish, when their most virulent libeller *Sir John Temple* admits, that "these rebels at their first risings out had not many better weapons than staves, scythes, and pitchforks." *Borlase*, who still improved upon Temple's rancour to the Irish, says, "the first insurgents in Ulster, though without arms and ammunition, got possession of most parts of the kingdom." The Earl of Ormond, according to Carte, acknowledged, that "such of the insurgents as appeared to him seemed rather to be a tumultuous rabble, than any thing like a disciplined army; and he was of opinion, that there were as many arms, within a few, in the hands of 600 of the king's forces, as there were amongst all the rebels then in the kingdom." But what Lord Clanrickard, to whom neither party refuses credit, says, is the most important to be known: "That the Scots in Ulster were 40,000 well armed men, when the rebellion commenced; at the same time that the rebels were at least by half less numerous, and furnished with few better weapons than staves, scythes, and pitchforks." In the very outset of the rising in Ulster, the chiefs of the insurgents, through fear of this formidable armed force of the Scots in Ulster, published a proclamation, "forbidding their followers, on pain of death, to molest any of the Scottish nation in body or goods." And Temple admits that this was for a time obeyed. The lords justices *Parsons* and *Borlase*, who gave deeply into the Puritan party, not only declined all offers, and checked every exertion of the loyal Catholics to put down the northern insurrection, but forced their ingenuity and power to the utmost, in order to drive the rest of the kingdom into a similar insurrection, for the base and profligate purpose of profiting of the forfeitures of those who should give into it;* in which nefarious project they too effectually succeeded. The conduct of these infamous justices, which goaded the loyal Irish into insurrection, is thus summarily detailed by Dr.

* "Whatever (says Leland) were the professions of the chief governors, the only danger they really apprehended, was that of a too speedy suppression of the rebellion. Extensive forfeitures was their favorite object, and that of their friends." 3 *Leland*, p. 160. They with some of their partizans in the council, says Carte (1 vol. p. 194), privately wrote to the Earl of Leicester, then lord lieutenant, desiring his secrecy, for they could not speak openly at the council board; that he would not accept of any overtures for checking the Northern rebellion, because the charge of supplies from England would be abundantly compensated out of the estates of the actors in the rebellion.

Warner,

Warner, who had evidently no propensity to favor the Irish: * "The arbitrary power exercised by these lords justices; their illegal exertion of it by bringing people to the rack to draw confessions from them; their sending out so many parties from Dublin and other garrisons to kill and destroy the rebels, in which care was seldom taken to distinguish, and men, women, and children were promiscuously slain; but above all, the martial law executed by Sir Charles Coote, and the burning of the Pale for seventeen miles in length, and twenty-five in breadth, by the Earl of Ormond; these measures not only exasperated the rebels, and induced them to commit the like or greater cruelties, but they terrified the nobility and gentry from all thoughts of submission, and convinced them, that there was no room to hope for pardon, nor any means of safety left them but in the sword." And Leland observes, † "that the favorite object both of the Irish government and English parliament, was the utter extermination of all the Catholic inhabitants of Ireland. Their estates were already marked out and allotted to the conquerors, so that they and their posterity were consigned to inevitable ruin." Thus was the nation compelled to arm in self-defence. The system of tyranny and oppression, under which they groaned they attributed to the parliament; and in resisting it, they then and ever since have considered themselves acting as royalists.‡ It has been said, that a commission under the great seal

* History of Rebellion, p. 183.

† 3 Leland, p. 166.

Carte, the panegyrist of Ormond, tells us, that after Parsons's disgrace he owed to Clanrickarde, that during Borlase's and his administration, "the parliament's pamphlets were received as oracles, its commands obeyed *as laws*, and extirpation preached for Gospel." How infamous then was it not in Ormond, to lend himself as the base tool to their enormities. The prevention of the king's will that the acts of grace should be passed in parliament, the breach of faith with the lords of the Pale, the suppression of the royal proclamations and pardons, unmerited and unresisted massacres, burnings, and pillages, were the further means, by which these justices forced the loyal Irish to resist the usurped tyranny of the parliamentarians.

‡ Sir William St. Leger, the president of Munster, committed the most unprovoked murders and barbarities throughout that province, and when the principal nobility and gentry remonstrated with him upon the danger of their rising, he tauntingly insulted them all "as rebels, would not trust one of them, and thought it most prudent to hang the best of them." In this he was encouraged by Ormond, to whom he wrote on the 8th of November, 1641, "that they were then only a company of ragged, naked rogues, that with a few troops of horse would be presently routed." And on the 11th, "Never was such a war heard of, no man makes head." *Carte Orm.*

feal to Phelim O'Nial to rise in arms against the usurped armed force of the Protestants in Ireland had been forged. The king's enemies affected to believe it a true commission; their aim being to implicate his majesty in the business, by considering this commission as an open declaration of war by Charles and his Irish Catholic subjects against his parliament and Protestant subjects. But the forgery of it by O'Nial (as he confessed it at the place of his execution) speaks highly in favor of the loyalty of the Catholics, who could on no other grounds be induced to take up arms, but in support and defence of the king, and his crown and dignity. The king's conduct at this time, in relation to his Irish subjects, could have no other appearance in their eyes, than of compulsion: for they never could believe that the King of Ireland should adopt the unconstitutional and unjust measure of committing to his English parliament the care and whole government of the kingdom of Ireland, they then having an independent parliament of their own. Yet that this was attempted, appears from the order of the two houses of parliament to the lords justices, in which no assent, or even derivative idea of the king's authority is referred to.* The lords and gentlemen of the Pale, whose houses had been burned, whose lands had been destroyed, whose tenants had been murdered by the Earl of Ormond under these parliamentary justices, without crime, provocation, or resistance, renewed their application to government to accept of their best endeavours to check and put a stop to the insurrection, now daily encreasing throughout the kingdom: but their overtures were indignantly rejected. The Earl of Castlehaven was imprisoned; and Sir John Read was put on the

The particular views for goading this province into rebellion, are fully laid open in Lord Corke's letter to the speaker of the House of Commons in England, which he sent together with 1100 indictments, against persons of property in that province, to have them settled by crown lawyers, and returned to him: and so says he, "*if the house please* to direct to have them all proceeded against " to outlawry, whereby his majesty may be entitled to their lands and possessions, which I dare " boldly affirm, was, at the beginning of this insurrection, not of so little yearly value as 200,000*l.*" This Earl of Corke was notorious during the two preceding reigns, for his rapacity; but this last effort he called the *work of works*. In Dublin, many were put to the rack, in order to extort confessions: and in the short space of two days, upwards of 4000 indictments were found against landholders, and other men of property, in Leinster. And numerous are the letters of Lord Clanricard to Ormond, and others, complaining of similar attempts to raise Connaught into rebellion, even by Ormond's own troops.

* Vide Appendix, No. XXV.

rack,

rack, for officious interference.* Thus at last was the whole body of the Irish Catholic nobility and gentry compelled, for self-preservation, to unite in a regular system of defence; which to this day is most unwarrantably and unjustly stiled, an odious and unnatural rebellion. Nothing can so emphatically demonstrate the grounds and principles, upon which they associated on this occasion, as the oath of confederacy, by which they bound themselves to each other: it is expressive of unqualified allegiance to the king, and contains an undertaking with life, power, and estate, to support and defend the royal person, honors, estates, dignities, and prerogatives, against all impugnors thereof, &c.;† which certainly favours more of royalism than rebellion.‡ It must indeed be acknowledged, that if England had been as early, sincere, and zealous in resisting the usurpation of these parliamentary regicides as the Irish Catholics, the catastrophe of Charles, with all its consequences, would have been avoided.

The king, considering the circumstances of this general confederacy of the Catholics of Ireland, signed a commission on the 14th of January, 1642, directed to the Marquis of Ormond, the Earls of Clanrickard and Roscommon, Viscount Moore, Sir Thomas Lucas, Sir Maurice Eustace, and Thomas Bourke, Esq. to meet the principal confederates (who had petitioned

* Lord Castlehaven escaped out of prison, or probably would have undergone the same fate as Sir John Read.

† Vide the form of oath, Appendix, No. XXVI.

‡ Beyond the public notoriety of the conduct of the Catholics, if any one seek further proofs, at least of their conviction that they were acting loyally, let him read Clanrickard's letter to the king, in which he vouches for the general conviction and loyal disposition of his countrymen. The letter being very illustrative of the spirit and circumstances of these times, is given in the Appendix, No. XXVII. Lord Castlehaven also, amongst other reasons for joining the confederates, alledged the following. "I began to consider the condition of the kingdom, as that the state did chiefly consist of men of mean birth and quality, that most of them steered by the influence and power of those who were in arms against the king, that they had by cruel massacring, hanging, and torturing, been the slaughter of thousands of innocent men, women, and children, better subjects than themselves; that they by all their actions shewed that they looked at nothing but the extirpation of the nation, the destruction of monarchy, and, by the utter suppression of the ancient Catholic religion, to settle and establish Puritanism. *To these I could be no traitor.* Def. Cur. H. 2 vol. p. 132. This is confirmed by the answer of the confederated Catholics, to commissioners sent from the justices, who in their commission had used the term *odious rebellion*; amongst other things, they say: "We take God to witness, there are no limits set to the scorn and infamy that are cast upon us; and we will be in the esteem of loyal subjects or die to a man."

his

his majesty to listen to their grievances) to receive, in writing, what they had to say or propound. The Marquis of Ormond was a man of personal intrepidity, some military knowledge, and very extensive ambition; imperious, haughty, vindictive, and impatient of control: he was so implacable to the Catholics, that in his hatred to them, he not only contravened the commands and wishes of his royal master, but basely descended to execute the sanguinary orders of his determined enemies.* So in lieu of complying with the pacific orders of this commission, he preferred the injunction of a committee† from the English parliament, to march with an army of 5500 foot and 500 horse, towards Ross. In this expedition, near 1000 of his countrymen lost their lives. He was the only one of the commissioners who did not attend the confederates at Trim; where they delivered to the rest of the king's commissioners, a very full remonstrance of all their grievances, which was accepted, and by them transmitted over to his majesty.‡

In consequence of this remonstrance, which it appears strongly affected the king, his majesty informed the lords justices, that he had authorised the Marquis of Ormond to treat with his Irish subjects, who had taken arms, for a cessation of hostilities for one year: "which as it was a service of very great concernment to his majesty, and his present affairs in both kingdoms, so he willed and commanded, that they would therein give the most effectual assistance and furtherance to advance the same by their industry and endeavours as there should be occasion." Sir William Parsons was superseded, indicted for high crimes, misdemeanors and treasonable prac-

* It was well known to Ormond, that this committee was sent from the English parliament against the king's express commands. On his way, Ormond took the castle of Timolin, which, after an obstinate resistance, surrendered; and although he had promised quarter to the garrison for their gallant defence, yet he suffered them all to a man to be butchered in cold blood, after they had surrendered their arms. And on the very day on which the other commissioners received the remonstrance from the Catholics at Trim (viz. the 17th of March, 1642), he attacked and routed the forces of General Preston, and killed 500 of them. Blood and devastation marked his progress to and from Ross.

† "This committee consisted of *Reynolds* and *Goodwyn* sent over by the English House of Commons, were settled at Dublin, and they took upon them the direction of all public affairs: they were allowed by the lords justices, without any leave from the king, to sit in privy council; and their opinion governed the whole board." *Warn. p. 231.*

‡ For this curious and authentic document, vide Appendix, No. XXVIII.

tices,

tices, and particularly for having been the principal opposer of the cessation. A new commission was issued to Sir John Borlase and Sir Henry Tichborne, to be lords justices. The latter was expressly appointed, as being considered to favour the cessation. Ormond, as I have before observed, uniformly gave into every measure that could frustrate the designs, or weaken the power of the Catholic party. He was appointed after many delays, and a second command from the king (the first having been disobeyed) by the lords justices to meet the commissioners of the Catholic confederates, at Castle Martin, on the 23d of June, 1642. Here he gave unequivocal proofs of his sanguinary disposition towards his Catholic countrymen, and of the little deference he paid to the commands and most earnest wishes of his royal master, when they crossed the views either of his ambition or revenge. The day before he set out upon this reluctant and painful commission for negotiating the cessation of arms, which the king had twice peremptorily commanded, he summoned before the council board some of the most substantial citizens of Dublin of the Protestant party, and delivered to them a written proposal, that if 10,000*l.* might be raised, the one half in money, the other in victuals, and to be brought in within a fortnight, he would in that case proceed with the war, endeavour to take Wexford, and break off the treaty for the cessation. This disloyal opposition made to the king's wishes and commands by Ormond, is placed in a more striking view by the narrative of Sir Henry Tichborne,* one of the new justices, then present at the council, than by the words or representations of any other cotemporary or modern writer. In his history of the siege of Drogheda, he tells us, that "the cessation intended was so disagreeable to the Irish privy council, that most of them desired to run any fortune and extremity of famishing rather than yield unto it. And I moved the board (there being twenty-

* There must have been something extraordinary in the character of this gentleman. Dr. Leland says (3 vol. p. 202), that he was a man of unexceptionable character, and zealously devoted to the king's service. He continued, however, to serve under Cromwell: and yet in 1666 the commons voted an address to the Duke of Ormond, in which they prayed, that in consideration of Sir Henry Tichborne's many and great services during the rebellion of 1641, some extraordinary mark of favor should be placed upon him, so as to deliver over to posterity the gracious sense which his majesty had of his sufferings and services, and the grateful memory which the house retained thereof. 2 *Com. Jour.* We shall have occasion hereafter to remark this mysterious favor to the Cromwellians. Sir Henry appears to have written with the blunt frankness of a soldier; not even palliating his own misconduct.

“ twenty-one counsellors present), that every one for himself, out of his
 “ peculiar means and credit, should procure 300*l.* which amongst them all
 “ would raise 6300*l.*; for even with that, he (Ormond) offered to undertake
 “ the work, and that there should be no further mention of a cessation
 “ amongst them. But this motion of mine finding no place, the cessation
 “ began to be treated on, and was in sincerity of heart as much hindered
 “ and delayed by me as was in my power.” I have judged it necessary to
 say thus much of Ormond’s conduct towards his king and country, in order
 that the principal part which he performed in the tragic scenes of Irish
 troubles may appear in the true light. Ormond used every engine to pre-
 vent the cessation from taking place: he received the commissioners of the
 confederates with the most imperious contempt, indignantly calling for the
 authority by which they appeared; upon which they gave him a copy of
 the authority they had received from the supreme council of the confederate
 Catholics at Kilkenny.* He then took occasion to contest their title, and
 question the facts presumed or referred to in their authority; and peremp-
 torily rejected the condition insisted upon by the confederates, of the disso-
 lution of the present, and the calling of a new parliament; although the
 king had, in a letter of the 2d of July, 1643, to the lords justices and the
 Marquis of Ormond, authorising them to conclude this cessation with the
 confederates, expressly commanded them to assure the Irish in his name,
 that he was graciously inclined to dissolve the present parliament, and call a
 new one between that and the 10th of November following. But it seems

* This authority is to be seen in the Appendix, No. XXIX. It is an additional proof, that the
 confederates openly professed themselves, in defiance of all obloquy and calumny, as faithful to the
 king; which appears again more pointedly in the answer they sent to the lords justices and council,
 who in the transaction of treating for the exchange of a prisoner, had used the words *rebels*, highly
 resenting this insult upon their loyalty.

“ WE do not know to whom this certificate is directed; for we avow ourselves in
 “ all our actions to be his majesty’s loyal subjects. Neither shall it be safe hereafter, for any
 “ messenger to bring any paper to us, containing other language than such as suits with our duty,
 “ and the affections we bear to his majesty’s service. Wherein some may pretend, but none shall
 “ have more real desires, to further his majesty’s interests, than his majesty’s loyal and obedient
 “ subjects.

Signed, “ MOUNTGARRETT,
 “ MUSKERRY,” &c.

that

that Ormond was as determined in his disobedience to all his majesty's commands that tended to relieve his Catholic subjects of Ireland, as the staunchest parliamentarian of that day.* By these contrivances, the cessation was suspended; and it was not until the fifth letter† from his majesty to Ormond (viz. on the 7th of September, 1643), that his most pressing commands upon this subject were ultimately submitted to.

Notwithstanding Ormond's detestation of the Catholics, he was no less than his royal master most strongly convinced of their immoveable loyalty and zealous attachment to the crown: he exceeded therefore his commission in treating with their commissioners, for a pecuniary supply for that very army with which he had recently committed such cruelties and outrages upon the inhabitants of the Pale. He procured from them a voluntary payment of 30,000*l.* and a reinforcement of some thousands of their best men for his majesty's army in Scotland, who afterwards proved an honor to their nation, and rendered essential service to the royal cause. Both Leland and Warner, the avowed encomiasts of Ormond, prove, to demonstration, the personal opposition he constantly made to the cessation, in despite of the will and commands of the king; for pending the treaty, which it evidently was his duty to conclude not by the sword, but by negotiating, he is represented as attributing the confidence of the commissioners in treating, to the prosperous situation of their army, and is made to conclude, that ‡ “any advantage gained by the king's forces must abate their pride: he therefore determined to suspend his negotiation, and, if possible to force Preston to an engagement. This general cautiously retired before him. Ormond was not sufficiently provided to pursue him: the dread of famine soon forced him to lead his army back to Dublin: abundantly convinced by this experiment, that the army and Protestant subjects of Ireland were to be rescued from destruction only by a cessation of hostilities.—§The king

* So determinately bent was Ormond upon preventing this cessation, that he sent Sir Philip Percival to England to oppose it: and he did oppose it with such virulence, that Sir George Ratcliffe told the Marquis of Ormond on that occasion, that had he not been recommended by his lordship, he would have passed at court for a round head: and he did in fact soon after join the English rebels.

† These different letters, which shew the king's eagerness for the peace, are to be seen in the Appendix, No. XXX.

‡ 3 Lel. p. 206.

§ Ibid. p. 207.

“ was impatient for this event: he renewed his orders and instructions for
 “ a cessation: he now deemed it necessary to shew some condescension to
 “ the Irish confederates: he expressed an inclination to call a new parliament
 “ in Ireland, and to permit their agents to treat with him on this business,
 “ and whatever else might conduce to a just, honorable, and perfect peace.
 “ To terrify and confound all opposition to his favorite scheme, Parsons,
 “ Temple, Loftus, Meredith, the great partisans of the English parliament,
 “ were accused of high crimes and misdemeanors, and by his order com-
 “ mitted to close custody.” Whatever dupes or victims the Irish were at
 this time made to the selfishness or intrigues of the king or his servants,
 nothing certainly can rob them of the merit of returning harshness, severity
 and deceit, with unparalleled duty, attachment and loyalty to their sovereign,
 who then intended to make peace with them, as Warner informs us, “ not
 “ out of any favour, or to shew countenance to them, as some of his enemies
 “ suggested, and others believed, but to strengthen himself against the par-
 “ liament with the Irish army.” If King Charles, in the distressful situation
 of his affairs in England and Scotland, could so inhumanly wanton in the
 ungrateful principles of his family, as to reward the most unshaken and per-
 severing loyalty of his Irish subjects, by persecuting them at home, and drawing
 their blood and treasure for his own purposes abroad, we shall be little sur-
 prised at the false and double part he continued to play upon them during
 the remainder of his life. The plain disclosure of truth is a debt of justice
 which the faithful historian is called upon to acknowledge and discharge to
 the Irish nation, not only to shield her from the shafts of malevolence and
 envy, but more particularly to inspire Great Britain with plenary confidence,
 that the loyalty, zeal, and fidelity of that nation, with which she has united,
 are not to be withdrawn from the British sovereign by seduction, menace,
 treachery, or invasion foreign or domestic.

Scarcely was the treaty for the cessation signed, ere it was formally rejected
 by the Northern army, which as well as the rest of the king's forces in Ire-
 land, was under the command of Ormond. This was immediately followed
 up by their taking the covenant:* and even such of the English army as
 had

* The English parliament sent Owen O'Conolly, who had received the commission of a captain,
 and a pension for having been the first informer of the grand rebellion, to press the covenant upon
 the army; and the fruits of his mission were most rapid and extensive: for immediately upon
 his

had formally acceded to the cessation, offered their services to follow Monroe, whenever he should march against the Irish. About the same time, Lord Inchiquin openly revolted against the King, by accepting the presidency of Munster from the parliament, in which province there were no bounds to his cruelty: he caused to be administered to each of his followers, an oath for the extirpation of Popery and extermination of the Irish. The cessation was considered by the parliament of England as so destructive of the Protestant interest, that they immediately made a declaration against it: in answer to which, his majesty published, *The Grounds and Motives of the Cessation*, for which he says, "there was an absolute necessity, as preparatory to a peace; which nevertheless he would never admit, unless it were such a peace as might be agreeable to conscience, honor, and justice." The confederates sent over so many and such seasonable supplies to the king, and these Irish troops behaved with so much zeal and valor in the royal cause, that the English parliament on the 24th of October, 1644, published this bloody ordinance, "that no quarter should be given to any Irishman or Papist born in Ireland, that should be taken in hostility against the parliament, either upon the sea or in England or Wales." The hostilities after this daily committed on the confederates by Monroe in Ulster, Sir Charles Coote in Connaught, and Lord Inchiquin in Munster, in breach of the cessation, drove them to present a strong petition to the Marquis of Ormond, now made lord lieutenant of Ireland, either that he would put himself at their head, or permit them to employ their forces against those, who by violating the armistice, had avowed themselves open enemies to his majesty.* But the inveteracy of the lord lieutenant against the Catholics, prevented him from seconding what he knew to be the interest, the wish, and the commands of his royal master, because his compliance or obedience would have promoted the welfare of the Catholics. For although

his landing all the Scotch and most of the English officers of the northern army took the covenant: Carte indeed informs us, that Ormond had it in command from his majesty to send down a proclamation to all the colonels to forbid it, but they would not publish it for fear of Monroe, as they alledged. Captain Conolly soon joined the parliamentary rebels and was by them promoted to a colonelcy.

* Lord Digby in a letter to Ormond frankly admits on this occasion that it was understood, that if the Scots submitted not to the cessation, "they then should be declared against as open enemies." (Cart. Orm. vol. 3. p. 346.)

on this occasion he confessed that by accepting the command of the army of the confederates "he might have drawn their dependance upon him, and "been able to dispose of their forces according to his majesty's pleasure for "the advantage of the service either in Ireland or elsewhere;"* yet he declined putting himself at their head for this reason, that he should† in that "case be suddenly and totally abandoned by the Protestants." An unequivocal test of the loyalty of the Irish nation to King Charles. The great question upon this part of the Irish history is, whether the confederated Catholics were at this period rebels or royalists. His majesty anxiously wished his Catholic subjects of Ireland to be fully admitted into his favour and protection, as placing the utmost reliance upon their fidelity and zeal to serve him. The testimony of their sovereign on this occasion goes great lengths. He had not only by several letters strongly recommended to Ormond, but strictly commanded him to *conclude a peace with his Irish Subjects, whatever it cost.*‡ And yet the virulence of this imperious governor, who commanded an uncommon sway over his royal master, against his Catholic countrymen was such, that for three or four years he artfully contrived to delay the peace, notwithstanding the king's most pressing and positive commands, until it were rendered unavailing by the cessation of the exercise of the royal authority after the imprisonment of his majesty's person in the year 1646.

Whatever allowances may be made to the pressure of distress and calamity, historical justice is a debt due to nations; for which delicacy even to a crowned head is no discharge. The Irish were openly, sincerely, and determinately attached to the cause of their sovereign: of this their sovereign was sensible: though according to the principle of his family, he sacrificed their affection and loyalty, to the intrigues of his open and secret enemies. The king had full reliance upon the fidelity of his Catholic subjects of Ireland: and at that time depended more upon their succours and subsidies, than upon those of any other of his subjects: he was fully apprized of the

* Carte Orm. 8 vol. p. 322.

† Ibid. p. 322. "If says he, I take the charge of their army upon me, or denounce immediately "an offensive war against the Scots, not ten Protestants will follow me, but rather rise as one man "and adhere to the Scots."

‡ Vide the several different letters from the king to Ormond upon this subject, App. No. XXX. prejudices

prejudices of Ormond against their religion;* and rather than assume a manly and candid line of conduct towards them, descended to debase the royal character, by duplicity and an unconstitutional stretch of the royal prerogative. That the king knew, and was satisfied with the end for which his Catholic subjects had confederated, cannot be questioned: for on the 12th of March 1643, he wrote to Ormond concerning the *very eminent good service* of Antrim, and Daniel O'Neile, two powerful Catholics in the north: "only one thing I thought necessary earnestly to give you in charge myself: which is, that you will unite yourself in a strict and entire correspondence with Antrim, and contribute all your power to further him in those services, which he hath undertaken; for I find that almost that whole kingdom is so much divided betwixt your two interests, that if you join in the ways, as well as *in the end for my service*, you will meet with small difficulties there, which I no way doubt, being thus recommended by your assured friend, Charles R." Neither can it be doubted, but that the king wished and endeavoured to support and strengthen the confederacy of his Catholic subjects in Ireland, which evidently clears them of all possible guilt of rebellion or treason against their Sovereign. What posterity may judge from the king's conduct, is for those to determine who may know what it really was. The king having nothing more at heart, than peace with, and assistance from his Catholic subjects, whom he now alone confided in, adopted two measures, by which they were deluded, his Protestant subjects deceived, and his own interest considerably weakened.

Thwarted and provoked as Charles was at the inexorable firmness of Ormond, in resisting, neglecting, or counteracting all his efforts and wishes to ingratiate himself with the confederated Catholics, yet he had the weak-

* Ormond made no secret of this detestation of Popery either to the king or his servants: in a letter to Lord Digby, (C. Orm. 3 v. p. 534) he says: "one thing I shall beseech you to be careful of, which is to take order, that what shall be directed to me touching these people (the Catholic confederates) if any be, thwart not the grounds I have laid to myself in point of religion: for in that, and in that only, I shall resort to the liberty left to a subject, to obey by suffering." The king's letters to Ormond shew how much hurt his majesty was by this disobedience of Ormond: they rise gradually from recommendation, to anxious pressing, to positive and peevish commands. *I command you to conclude a peace with the Irish, cost what it may. And lastly—I absolutely command you without reply, to execute the directions I sent you on the 27th of February last: which were to make peace even without the council.* C. O. 3 v. p. 431.

ness to encourage Ormond, whom he thought agreeable to the Protestant interest, even in the very acts of resistance and disobedience to his own commands. He even attempted to make him the vehicle of communicating to them the unconstitutional resolution of dispensing with all the penal laws against the Catholics, till they should be abrogated and repealed by parliament.* “A peace with the Irish is most necessary for my affairs in England, wherefore I command you to dispatch it out of hand. And I do hereby promise them, and command you to see it done, that the penal laws against the Roman Catholics shall not be put in execution, the peace being made, and they remaining in due obedience. And further, when the Irish give me that assistance, which they have promised, for the suppression of this rebellion, and I shall be restored to my rights, I will consent to the repeal of them by a law.”† In another letter written to the lord lieutenant within ten days, the king ascended to the most imperative tone, “I do therefore command you to conclude a peace with the Irish, whatever it cost: though I leave the management of this great and necessary work *entirely to you*.”‡ Ormond appears so well satisfied with disobeying these commands of his royal master, that he boasted in a letter to the king, “that§ he treated with these commissioners in such a manner and gave them such answers, as might let them conjecture he had directions to the contrary.”|| He attributed his pertinacity in endeavouring to renew the war, in lieu of making peace, to the inflexible resolution of the council in Ireland never to treat with the confederates, although he had in the preceding December received unlimited power from his majesty, (who foresaw the difficulties that would arise from that quarter) “to sequester from the council board such members of it as he did not approve of.” Nay, it will even be found by those who look

* The Lord Chief Justice Herbert and others, who wrote in support of the royal prerogative of dispensing with penal statutes, contended only for it in particular cases: and such certainly was the ancient prerogative of the crown, though most wisely abridged at the revolution. But this was an attempt to counteract the whole statute law by royal proclamation, which no other sovereign had ever pretended to.

† Let. to Orm. on the 18th of February 1644. 3. C. Orm.

‡ Ibid. Let. of 27th of February 1644.

§ Ibid.

|| The confederates were apprized of his majesty's commands to Ormond, by their agents Lord Taaffe, Mr. Burke, and Mr. Brent, who then were with the king.

impartially into the authentic annals of those days, that Ormond was at that time negotiating a treaty with the rebellious army of the Scots in Ulster to join his forces in renewing hostilities against the confederates.

The king being fearful, that the harshness of Ormond towards the Catholics, and his inflexible reluctance to obey any commands favorable to them, should alienate their attachment to the royal cause, endeavoured to effect by the secret influence of his authority over those, who ever respected it, what the insincerity of his character prevented him from openly avowing. King Charles in his troubles, had experienced the most prominent zeal and signal support from the Marquis of Worcester, who had expended above 150,000*l.* (an immense sum in those days) of his personal fortune in raising and maintaining 1500 foot, and 500 horse at his own expence. That family was then Catholic: and the king placed an extraordinary confidence in the fidelity and zeal of his eldest son Edward Somerset, Lord Herbert, whom he created Earl of Glamorgan. Being of the same religion as the Catholic confederates, his majesty undertook to avail himself of the influence, which he conceived this circumstance coupled with his connections in Ireland (he was married to Lady Margaret O'Bryen, daughter of the Earl of Thomond) must naturally give him, as early as the 1st of April 1644, granted him a patent* of very extraordinary powers, which seemed to be especially calculated to overawe or counteract the powers of Ormond, which the king thought proper to continue, though he evidently mistrusted the use, which Ormond would make of them. In about ten months from the granting of this patent, viz. on the 6th of January 1644,† the king granted a commission under the great seal to the Earl of Glamorgan for levying any number of men in Ireland, and other parts beyond seas, commanding them, putting officers over them, making governors in forts and towns, giving him powers to receive the king's rents, &c. This was again followed up by two other commissions for extending and enlarging his powers, *even avowedly beyond the law*; should circumstances call upon him to use a vigor of that nature: and to do that, in which his lieutenant could not so well be seen, as not fit for his majesty then publicly to own. In these he pledged the honour of a king and a Christian, to ratify whatever

* Vide this patent App. No. XXXI.

† N. B. Old stile.

Glamorgan should think fit to grant to the confederates under his hand and seal: the said confederate Catholics having, said he, "*by their supplies testified their zeal to our service.*"* If then the confederates were thus eminently acknowledged by their sovereign to be zealously engaged in his cause, the succour, aids, and assistance, which they endeavoured under the existing circumstances to draw from the King of Spain, the court of Rome, or afterwards from the Duke of Lorrain, cannot evidently be laid to the account of a traitorous and rebellious disposition in the Irish against their sovereign, for the king himself both petitioned, and actually received considerable succours from the same quarter.†

Still were these confederates made the dupes and victims of the duplicity of Charles, redoubled upon them by the malevolent intrigues of Ormond, who on this occasion professed loyalty, whilst he practised disobedience to his royal master, and pretended a confidence in Glamorgan and the confederates, whilst he was planning the ruin of both. The confederates were through the insinuations of Ormond, prevailed upon (though against the advice of the pope's agent and nuncio) to make peace *publicly* with the Marquis of Ormond, and *privately* with the Earl of Glamorgan, disjoining the *religious* from the *political* articles. The letter, which Ormond had written to Lord Muskerry‡ expressive of his readiness to concur with Glamorgan in every thing, which the latter should undertake for his majesty's service, was considered by the confederates at large as a solemn pledge on behalf of the king's lieutenant, § "and was delivered to the nuncio " by the supreme council of Kilkenny as a proof, that the Marquis of " Ormond would support the agreement, which had been, or should be

* For the two latter commissions vide App. No. XXXII. Whatever objections may be made to the propriety of these grants on behalf of the crown, they prove beyond question that the Irish Catholic confederates were properly at least now termed *royalists*—but *Quidquid delirant reges plectuntur Achivi.*

† This fully appears from the king's letter to the archbishop of Tarragona dated from Oxford, April 30th, 1645: and also from a letter from Cardinal Pamphilio to the queen at Paris, accompanied by a brief from the pope to the like purport, dated March the 2d, 1645. For the two letters vide App. No. XXXIII.

‡ See Ormond's letter to Lord Muskerry dated on the 12th of August, 1645, Appendix, No. XXXIV.

§ An Enquiry into the Share which Charles I. had in the Transactions of the Earl of Glamorgan: p. 64.

“ made between them and the Earl of Glamorgan, though the marquis “ afterwards disappointed their expectations.” The general assembly of the confederates which met at Kilkenny on the 6th of March, 1645-6, dispatched Lord Muskerry and other commissioners to Dublin, publicly to conclude the peace with the Marquis of Ormond, and it was accordingly concluded on the 28th of the same month, 1646. But the *secret* treaty had been concluded with the Earl Glamorgan on the 25th of the preceding month of August; the conditions of which chiefly related to the toleration of the Catholic religion, and the sending over subsidies to the king in England.* It happened in the mean time, that the particulars of this secret treaty became public,† and Ormond jointly with Lord Digby, although they well knew the commission and authority, under which Glamorgan acted, had him indicted of high treason for forging or surreptitiously obtaining these very commissions, and his person was immediately committed to close custody. The discovery was instantly reported to parliament, and Charles basely protested *upon the word of a king and a Christian*, that he had never given to the Earl of Glamorgan those commissions and powers, which he was then known by many, and now is known by all, to have repeatedly given. This colourable commitment of Glamorgan was not of long duration: he was discharged upon his own and the Earl of Kildare’s recognizance; the confederates having peremptorily insisted upon breaking off the treaty for peace, until he should be discharged.‡ Little can it be wondered

* As it may be interesting to the reader to see how far the king rendered his royal faith, word, and authority, subservient to his interest and wishes, I have given the preamble to the treaty, together with the conditions of it, in the App. No. XXXV.

† They were found upon the titular archbishop of Tuam, who was accidentally killed by the parliamentary rebels before Sligo, who together with some of Ormond’s forces, were in open hostility notwithstanding the cessation and the then pending treaty for peace.

‡ Few instances of more Machiavelian policy occur in history, than in the conduct of Ormond, excepting that he never completely dissembled his execration of the Catholics. Dr. Leland frankly admits, that notwithstanding this colourable commitment, Ormond continued to regard Glamorgan as really entrusted by the king, and empowered to negotiate in his name. In proof of this he favours us with the letter written to the Earl of Glamorgan soon after his discharge, the original of which he had in his possession. (Vide App. No. XXXVI.) The same author adds, that both Ormond and Digby always regarded Glamorgan “ as duly authorized by the king: and treated and “ addressed him as a person still enjoying the royal favour and confidence. And that he did still “ enjoy

wondered at, that the confederated Irish after having been thus deluded and betrayed by their sovereign, should in their subsequent negotiations require some more stable security for the performance of articles agreed to, than the word of a monarch so frequently violated in their regard. Under these circumstances, a very serious ground of difference, if not dissention arose amongst them, which retarded the conclusion of the peace, and greatly weakened their power: this internal division of the Catholics was most actively fomented by Ormond. The nuncio and a considerable party of the confederates, objected against the conclusion of any peace, which had *future* concession for its basis: but there was no limitation to the confidence which the majority of them still placed in *the promises of* the king and his lieutenant. Nevertheless, however divided they were upon this and some other less important points, they all unanimously to the last, adhered with inviolable attachment staunch to the royal cause.* Whereas Ormond not only resisted their pressing solicitations to lead them against the king's enemies, but the urgent importunities of his friend Lord Clanricard, to place himself at the head of the confederates and immediately proceed against Sir Charles Coote, and the other parliamentary rebels, who were daily violating the cessation, and committing the most barbarous hostilities against the adherents to the royal cause: and finally even delivered up his sword, the castle, and king's authority to the commissioners of the parliamentary rebels.† In this disgraceful

" enjoy them in a very high degree, there is direct and positive proof in those letters extant
 " amongst the Harleian manuscripts, in which Charles assures him of the continuance of his
 " friendship, and promises to make good all his instructions and promises to him and the nuncio."
 (3 Lel. 283, 4, 5.) Vide some of these letters in Appendix No. XXXVII

* With reason then did King Charles express himself in a letter to Ormond only two days before the peace was concluded, that if the kingdom of Ireland were in perfect obedience, " it is possible it may please God to restore me to the other two, or be a safe retreat for myself." (C. O. 3 vol. p. 451.

† He had previously boasted to Colonel Leyburne who had come over with a confidential commissioner from the king, " that if there should be a necessity, he would give up those places under his command to the English rather than the Irish rebels, of which opinion he thought every good Englishman was." Immediately before Ormond delivered up the sword to the parliament commissioners, Alderman Smith, then Mayor of Dublin, aged near eighty years, a man of great integrity and loyalty, came to the council table, and acquainted my Lord of Ormond, that it was generally reported in town, and spread so far as no man doubted it, that his excellency intended to deliver up the government to the parliament: that he came to acquaint his lordship, that himself was entrusted with

disgraceful negociation with parliament, Ormond acted with full reflection, and with the most interested views to his own domestic concerns; having stipulated with them for the price of his base surrender, viz. 5000*l.* in hand, 2000*l.* a year for five years successively, and a total release and discharge of all incumbrances upon his estates (which were very heavy) up to the time of the insurrection. The spirit and motive with which he thus infamously betrayed the trust and authority of his royal master, appear more fully from the conduct of the Irish parliament, which was then sitting, towards him. Both houses addressed to him a vote of thanks for his excellency's treaty with the English rebels: in which they set forth, that his proceedings therein being such a free earnest of his excellency's love to their religion, nation and both houses, did incite them to come unto him with hearts filled with his love, and tongues declaring how much they were obliged unto his excellency. And that in order to perpetuate unto posterity the memory of his excellency's merits, and their thankfulness, they had appointed that instrument to be entered into both houses, and under the hands of both speakers to be presented to his lordship. To which address, his excellency answered, that this acknowledgment of theirs was unto him a jewel of very great value, which he should lay up amongst his choicest treasures: it being an antidote against the virulency of those tongues and pens, he was well assured would be busily set to work to traduce and blast the integrity of his present proceeding for their preservation.* Soon after these parliamentary compliments had passed between the Irish houses of lords and commons, and their lord lieutenant, his lordship was ignominiously expelled from the castle, sooner than he intended to quit it, by the English committee, and forced to transport himself to England.†

In

with the king's sword of the city, and that he would not resign it to rebels. Whereupon my Lord of Ormond gave him some check and ordered him to withdraw: but upon further consideration his lordship and the council thought fit to call him in again, and to commend him for the resolution he had shewn in maintaining his majesty's authority: and withall read a letter from his majesty requiring the lord lieutenant to deliver up the sword to the commissioners empowered by the parliament of England: whereupon he said, he would submit. (St. Let. from the Earl of Essex, p. 344.) To cover the turpitude of his own conduct, Ormond thus imposed upon the lord mayor of Dublin, by reading either a forged or a forced letter from his majesty, for had it been real he would have pleaded it in his own justification.

* Com. Journ. of Ireland.

† Before his departure the confederates again pressed him (but in vain) to put himself at their

In this decline of the king's affairs the confederated Catholics met again at Kilkenny, where they took into consideration, that his majesty was in restraint, that all addresses to him were forbidden, and that some members of parliament who had ventured to speak in his favour, were expelled, "therefore in that extremity," as they express themselves, "there being no access to his majesty for imploring either his justice or mercy, all laws either human or divine did allow the said Catholics to take some other course, in order to their defence and preservation: not against his sacred majesty, but against those, who had laid violent hands on his person, who designed to abolish the royal authority, and resolved to destroy or extirpate the said Catholics."*

Ormond, to whose ambitious and self-interested views there were no bounds, having been thus indignantly forced from his favorite seat of power into exile by the enemies of his royal master, whom he had hitherto most basely favoured and courted, and wishing to use the unshaken loyalty and severely tried attachment of the king's firmest and best friends, as the instruments of his own revenge, dissembled for the moment his implacable rancour to his Catholic countrymen, and affected with unqualified reserve to place the depending fate of his royal master in their exertions. He landed at Cork on the 29th of September 1648, and notwithstanding his insulting, harsh and perfidious conduct towards the confederates, and his mercenary treachery in surrendering the royal dignity to the parliamentary rebels, he was received with universal acclamation, and invited by the general assembly at Kilkenny to conclude a peace, and earnestly join with the nation at large in making head against the parliamentary rebels, who by their principles were generally engaged, and by the covenant were particularly sworn, to destroy monarchy, abolish the hierarchy and extirpate the Catholic religion. He was received in triumph at Kilkenny on the 28th of October 1648, having been met at some distance from the town by the whole body of the assembly and by all the nobility and gentry in the neighbourhood: he was received

head in support of the royal cause: he had scarcely arrived in England, when he was forced to fly to France, having been informed that a warrant had issued for apprehending his person from the very persons to whom he had made the base and mercenary surrender of his high trust, dignity and power in Ireland.

* Walsh's Reply to a Person of Quality.

in.

in the town by the mayor and aldermen with all the honors, ceremony and etiquette, which such corporate bodies usually shew to the supreme authority in the kingdom, and he was lodged in his own castle with his own guards about him. Still did Ormond pertinaciously persevere in rejecting every condition of peace proposed by the confederates that related to a toleration of the Catholic religion and the repeal of any of the penal laws. During this protraction of the peace, the treaty was interrupted by the open defection of Inchiquin's army and their declaration against the king: Ormond had ever been intimate with this nobleman, and he now took the occasion of suspending the definitive treaty, under the pretext of giving satisfaction to Inchiquin and his leading officers. Notwithstanding the confederates well knew the instructions, which the king had given to Ormond respecting the free exercise of their religion, yet to the end he suppressed the extent of his powers; and absolutely refused ultimately to allow, what he well knew his majesty had most solemnly pledged himself to grant: and he immediately after boasted in a letter to Sir Charles Coote, “*that the advantages, which the Romish professors are supposed to have in point of religion or authority, are no other but pledges from his majesty's confirmation of the other concessions and are to determine therewith.”

We have seen how earnestly the king had long wished for and how peremptorily he had commanded Ormond to make peace with the confederates. The consequences therefore, which ensued the protractions of that event evidently lay at his door, who caused the delays: it was only concluded on the 17th of January 1648, a fortnight before the tragical end of that unfortunate monarch. And Carte observes, that “†the news of the conclusion of this peace did not reach England soon enough to deter the execrable authors of the murder of their king from perpetrating a villainy, which how long soever they had intended it, they durst not attempt to execute, till they thought themselves secure of impunity by being absolute masters of Great Britain without any considerable force in any part of these nations to oppose their measures or take vengeance on their crimes.” Had Ormond been actuated by any sense of the welfare of the state, by any regard to the preservation of the constitution, by any zeal for the support of his own religion, by any real attachment or even common loyalty to his sovereign, he could not have boasted

* 2 Vol. Cart. Orm. p. 52.

† Ibid.

“ as

as he did. “*And yet those articles were not condescended unto, till all
 “ hopes of the treaty then on foot in England between the king and the
 “ parliament were overpassed, and the army were not ashamed to proclaim
 “ their purpose to commit an horrid and execrable murder and parricide on
 “ the sacred person of his majesty. This (says he) we mention not as thereby
 “ in the least degree to invalidate any of the concessions made unto this peo-
 “ ple, but on the contrary to render them in every point the more sacred and
 “ inviolable, by how much the necessity on his majesty’s part for the grant-
 “ ing thereof is the greater, and the submission on their part to his majesty’s
 “ authority, in such his great necessity, more opportune and seasonable: as
 “ also to call to the world (and whomsoever either any peace at all or the
 “ terms of this peace may be distasteful unto) to testify hereafter, that as the
 “ full benefit thereof cannot without great injustice and somewhat of ingra-
 “ titude (if we may so speak in the case of his majesty with reference to this
 “ last act of their’s) be denied unto them, so any blame thereof ought to be
 “ laid upon those alone, who have imposed the said necessity, the saddest to
 “ which any king was ever reduced.”

Ormond was now reduced to look up to his former power and influence in Ireland through the exertions only of those, whom he had uniformly persecuted and oppressed. What share he assumed to himself of the disasters of his royal master, by having so long deprived him of the assistance of his Catholic subjects cannot be known; but certain it is, that this awful moment of embarrassment was the first, in which he made any avowal honorable or favorable to his Catholic countrymen. Besides the reluctant, ungracious and half-penitent admission of their persevering attachment to the king in his utmost distress, he said in a letter to Lord Digby, that “I must say for this people,
 “ that I have observed in them great readiness to comply with what I was
 “ able to give them, and a very great sense of the king’s sad condition.”† And in another letter of the same date to the prince of Wales, he notices,
 “ ‡the very eminent loyalty of the assembly, which was not shaken by the
 “ success, which God had permitted to the monstrous rebellion in England:

* 2 Orm. 2 vol. p. 52.

† This was written to Digby on the 22d of January 1648;—within a week of King Charles’s death.

‡ Letter of the same date.

“ nor by the mischievous practices of the no less malicious rebels* in Ireland.”

It is no small or unequivocal mark of the eminent loyalty and fidelity of the Irish Catholics, that at Charles's unfortunate execution, they formed the only compact national body throughout the extent of the British empire, who had preserved untainted and unshaken their faith and attachment to the royal cause, although they had been throughout his reign more oppressed, persecuted and aggrieved by their sovereign, than any other description of his subjects whatsoever.† No sooner were the melancholy tidings of the death of Charles I. conveyed to Ormond, who was then at Youghall, than he instantly proclaimed the prince of Wales king by the stile of Charles the Second.

* To these Ormond surrendered his sword for 15000*l*.

† How little then did they merit the *rotum candidum* of our impartial historian Sir Richard Cox? How gladly would I draw a curtain over the dismal and unhappy 30th of January, wherein the royal father of our country suffered martyrdom! Oh! that I could say, they were Irishmen that did that abominable fact, or that I could justly lay it at the door of the Papists! But how much soever they might obliquely or designedly contribute to it, 'tis certain it was actually done by others.”

CHAPTER V.

THE INTERREGNUM AND REIGN OF CHARLES THE SECOND.

IN the first effervescence of the horror, which all conceived of the murder of King Charles, the English and Irish vied with each other, who should be most zealous in their exertions against the parliamentary rebels, whom they now denominated and treated as regicides. To this union were owing the first successful movements of Ormond's campaign in the reduction of most of the strong holds of the northern parts of the kingdom, except Dublin and Londonderry. The pride of Ormond stimulated him above all things to regain the possession of Dublin, which he had by his own base treachery surrendered into the hands of the rebels. But the infamy of his giving it up for base lucre was aggravated by his disgraceful defeat at Rathmines* by a very inferior force under Michael Jones, the rebel governor of the city. This shameful disaster, coupled with the ready submission of Inchiquin's men, who instantly enlisted in Jones's army, and several other circumstances attending the conduct of Ormond on this occasion, naturally renewed in the Irish their former suspicions, that he had still some secret understanding with the English rebels: and these suspicions were strengthened by the constant failure of all his subsequent undertakings against them.

The new king had explicitly written from the Hague, "that he had received and was extremely well satisfied with the articles of peace with the Irish confederates, and would confirm wholly and entirely all that was contained in them.† Notwithstanding, after his majesty had been proclaimed in Scotland, and had been advised by Ormond to accept of the commissioners invi-

* Rathmines is about three miles from Dublin. Carte says, that 1500 soldiers and 300 officers in this battle were taken prisoners, and about 600 slain and above half of them within the walls of Dublin after quarter had been given. Most of Inchiquin's men enlisted under Jones, 2 C. Orm. 81. According to Borlase, Ormond, after this shameful defeat, wrote to Jones for a list of his prisoners, who answered, "My lord, since I routed your army, I cannot have the happiness to know where you are, that I may wait upon you."

† Cart. Orig. Let. 2 vol. p. 363 and 367.

tation to go over to that kingdom, well knowing that his taking the covenant was to be the previous condition of his being admitted to the throne of Scotland: he took shipping and arrived there on the 23d of June 1650. After having signed both the national and solemn covenant, in the short space of two months, the king published a declaration, "that he would have
 " no enemies but the enemies of the covenant: that he did detest and abhor
 " popery, superstition, and idolatry, together with prelacy: resolving not
 " to tolerate, much less to allow those in any part of his dominions, and to
 " endeavour the extirpation thereof to the utmost of his power." And he expressly pronounced the peace lately made with the Irish and confirmed by himself to be null and void: adding, "that he was convinced in his conscience of the sinfulness and unlawfulness of it, and of his allowing them
 " (the confederates) the liberty of the Popish religion; for which he did
 " from his heart desire to be deeply humbled before the Lord: and for having
 " fought unto such unlawful help for the restoring of him to his throne." The publication of this declaration necessarily produced the effect, which Ormond himself foretold in a letter to secretary Long,* namely, "to withdraw this
 " people from their allegiance by infusing into them a belief, that by his majesty's having taken or approved of the covenant, they are deprived of the
 " benefit of the peace, and left to the extirpation the covenant proposes both
 " of their religion and persons."

Whatever party prejudice may alledge in charge, commendation, or defence of Ormond (no character was ever more partially represented) historical justice obliges us to aver, that the Catholic confederates (whatever differences had existed amongst them) were unexceptionably † and most zealously devoted to
 the

* Written from Loughrea the 2d of September 1650: in this letter Ormond grievously complains of the rebellious disposition of all the clergy and Catholic nobility (except Lord Clanrickard) and says that he expected that all who should adhere to him thereafter, would be excommunicated. That all Ireland except Connaught was in the hands of the rebels. C. Orig. Pap. 453.

† In the course of what is called (very improperly) the grand rebellion in Ireland, the only party, which could properly, if at all be called rebels, were the adherents of Phelim O'Nial, who headed the native Irish Catholics in the North, and who, in the confusion and heat of the internal dissensions of the confederates, had been, together with the adherents of the Pope's nuncio, denounced as traitors against the royal authority, for resisting the peace of 1648, by the supreme council of Kilkenny. This Phelim O'Nial had been constantly charged with having forged a commission from
 the

the royal cause, in direct opposition to the rebellious regicides; that Ormond well knew the extraordinary fidelity of his Irish army, by acknowledging to his Majesty, that many of the soldiers had starved by their arms, *and he could persuade one half of his army to starve outright*; that after the disgrace at Rathmines, Ormond never engaged, in person, Cromwell, Ireton, or Jones: that in a very short time after the death of the late King, all Ireland, except the province of Connaught, was under the power of the rebels; that Sir Charles Coote (afterwards Lord Montrath) and Lord Broghill (afterwards Earl of Orrery) with the forces under their commands, and the whole Protestant army of the North, went over to the rebels; that when the royal cause had, under his administration, become desperate and defenceless, he abandoned it in its agony, and secured his own personal safety, a second time, by flight: that before his departure, he greatly strengthened the rebel power, by*
 “ permitting, as the Earl of Orrery expressed it, all those worthy Protestants,
 “ who till then had served him, to come off to the rest of the Protestants,
 “ though then headed by Ireton himself, esteeming them safer by that real
 “ regicide,† so accompanied, than with those pretended antiregicides, so
 “ principled:”

the King, to levy war against the parliamentarians, or English Protestant army in Ireland; for in the beginning of the decline of the power of Charles I. these terms were (by the Irish at least) considered synonymous. In the year 1652, a high court of justice (afterwards called Cromwell's slaughter-house, from the numbers of bloody sentences pronounced in it) was instituted for trying *rebels and malignants*, which, in the revolutionary language of that day, meant *loyalists* and *royalists*: and also for the trial of all massacres and murders, committed since the 1st of October, 1641. The regicides brought Phelim O'Nial to trial in this court, hoping, as it appeared from their efforts, to affix upon the late King, the odious stigma of exciting the rebellion: and after his condemnation, they offered him his pardon and restitution of his estate, if he would acknowledge the genuineness of his commission. But Phelim disdained to save his life by a lie, that would have been injurious to that unfortunate prince: but he replied aloud, that in order to draw the people unto him (who were therefore loyal in their disposition) he took an old seal from a deed, and put it to a forged commission, in order to persuade them, that what he did was by royal authority. But that he never had any real commission from the King. The Bishop of Kilmore assured Mr. Carte, that he was present at the execution, and heard this from the mouth of O'Nial.

* Answer to Walsh: where he also says, by way of appeal to Ormond himself, “Certainly he
 “ esteemed those less ill, to whom he sent his friends, than those from whom he sent them.”

† The conduct of the leading characters in Ireland, at this critical period of the Irish history, has been uniformly represented in false colours, by all our historians. Not only historical praises, but royal and even legislative rewards have been lavished upon the most forward in the service of the parliament.

“principled:” that he not only received the beforementioned price of surrendering Dublin and the sword of state to the rebels, but the Marchioness of Ormond

parliament. This Lord Broghill, who was afterwards created Earl of Orrery, acted for some time under the parliament, till shocked at the King's death, he quitted the service of his regicide masters, and retired to Marston, a country seat he had in Somersetshire. There he formed a design to apply to Charles II. for a commission to act in Ireland for the restoration of the crown, and the recovery of his own property. The account of this Lord Broghill's devoting himself to the service of Cromwell, taken from his *Panegyrist* rather than *Biographer* (Mem. of the Boyle family, 1737, p. 42.) is submitted to the reader, as a specimen of the affection and loyalty of the Irish Protestants of that day, to the cause of the unfortunate Charles I. “I have heard a certain great man, who knew the world perfectly well, assert, that *a secret was never kept by three persons*. His Lordship had intrusted his *secret* to more than *three*; and the Committee of State, who spared for no money to get proper intelligence, being soon made acquainted with his whole design, determined to proceed against him with the utmost severity. Cromwell was at that time General of the Parliament forces, and a Member of the Committee. It is allowed by his enemies, that this wonderful man knew every person of great abilities in the three kingdoms: he was consequently no stranger to Lord Broghill's merit; and reflecting that this young nobleman might be of great use to him in reducing Ireland, he earnestly entreated the Committee, that he might have leave to talk with him, and endeavour to gain him, before they proceeded to extremities.—Having with great difficulty obtained this permission, he immediately dispatched a gentleman to the Lord Broghill, who let him know that the General, his master, intended to wait upon him, if he knew at what hour he would be at leisure. The Lord Broghill was infinitely surprized at this message, having never had the least acquaintance, or exchanged a single word with Cromwell. He therefore told the gentleman, that he presumed he was mistaken; and that he was not the person to whom the General had sent him. The gentleman readily replied, that he was sent to the Lord Broghill; and therefore if he was that Lord, that he was sent to him. His Lordship finding there was no mistake in the delivery of the message, confessed that he was the Lord Broghill: he desired the gentleman to present his humble duty to the General, and to let him know, that he would not give him the trouble to come to him, but that he himself would wait upon his Excellency, if he knew at what hour it would be most proper for him to do so; and that in the mean time he would stay at home, to receive his further commands. The gentleman replied, that he would return directly and acquaint his General with what his Lordship said. The Lord Broghill, in the mean time, was under a good deal of concern, at what should be the meaning of this message. He never once suspected that his design was discovered; but while he was musing in his chamber upon what had passed, and expecting the return of the gentleman, he saw Cromwell himself, to his great surprise, enter the room. When some mutual civilities had passed between them, and they were left alone, Cromwell told him in few words, that the Committee of State were apprized of his design of going over, and applying to Charles Stuart for a commission to raise forces in Ireland; and that they were determined to make an example of him, if he himself had not diverted them from that resolution. The Lord Broghill interrupted him here, and assured him, that the intelligence the Committee had

Ormond received, during the whole time of her Lord's proscription, 3000*l.* per annum by favor from Cromwell.

So grossly inconsistent with the late peace was the King's subscription to the covenant, that Ormond, after having advised his Majesty to take it, affected publicly to discredit the report of his having taken it. The confederates, however, not only believed, that the King had (as the fact was) debased himself and betrayed them by thus covenanting with the murderers of his father, but that Ormond had approved of and advised the measure. Several of them, therefore, together with a large part of their clergy, assembled at James Town in their present embarrassment, and mindful of the resolution they had formerly entered into, that in case of a breach or disavowal of the peace on the part of his Majesty or his Lieutenant, they would return to their

“ received was false: that he was neither in a capacity, nor had any inclination to raise disturbances in Ireland; and concluded with entreating his Excellency, to have a kinder opinion of him. Cromwell, instead of making any reply, drew some papers out of his pocket, which were the copies of several letters the Lord Broghill had sent to those persons in whom he most confided, and put them into his hands. The Lord Broghill, upon the perusal of these papers, finding it was to no purpose to dissemble any longer, asked his Excellency's pardon for what he had said, returned him his humble thanks for his protection against the Committee, and intreated his directions how he ought to behave in so delicate a conjuncture. Cromwell told him, that though till this time he had been a stranger to his person, he was not so to his merit and character; that he had heard how gallantly his Lordship had already behaved in the Irish wars; and therefore, since he was named Lord Lieutenant of Ireland, and the reducing that kingdom was now become his province, he had obtained leave of the Committee to offer his Lordship the command of a General Officer, if he would serve in that war; that he should have no oaths or engagements imposed upon him, nor be obliged to draw his sword against any but the Irish rebels. The Lord Broghill was infinitely surprised at so generous and unexpected an offer. He saw himself at liberty by all the rules of honor, to serve against the Irish, whose rebellion and barbarities were equally detested by the royal party and the Parliament. He desired, however, the General to give him some time to consider of what had been proposed to him. Cromwell briskly told him, that he must come to some resolution that very instant; that he himself was returning to the Committee, who were still sitting; and if his Lordship rejected their offer, had determined to send him immediately to the Tower. The Lord Broghill finding that his liberty and life were in the utmost danger, and charmed with the frankness and generosity of Cromwell's behaviour, gave him his word and honor, that he would faithfully serve against the Irish rebels. Upon which Cromwell once more assured him, that the conditions he had made with him should be punctually observed; and then ordered him to repair immediately to Bristol, to which place forces should be sent him, with a sufficient number of ships to transport them into Ireland. He added, that he himself would soon follow him; and was as good as his word in every particular.”

original

original confederacy, as the likeliest means to hinder their people from closing with the Parliament; after much deliberation it was determined, that the clergy should endeavour, by ecclesiastical censures, to withdraw all persons of their own communion, from the command of Ormond: they accordingly assuming, that his Lordship would now publicly promote, as he had ever secretly favoured the covenanters, published an excommunication against all such Catholics, as should enlist under, feed, help, or adhere to his Excellency; or assist him with men, money, or any other supplies whatever: but lest their loyalty to their constitutional monarch should be suspected, they involved in the same sentence of excommunication all such Catholics, as should adhere to the common enemies of God, their King and country: or should any ways help, assist, abet, or favor them, by bearing arms, for or with them. Whether fear, force, or corruption induced Charles II. to this base act, certain it is, that a *covenanting independent sovereign* is not that constitutional executive magistrate, which the Irish nation was obliged or ought to obey. Under the then existing circumstances, the observance of the late peace was the only security for their religion, liberty, lives, and fortunes.

When Ormond quitted Ireland, he left the wrecks of his wasted, dissipated, and bartered powers to the Earl of Clanrickard, who had often before remonstrated with him upon those measures of his government, which tended to alienate the affections of the nation from the royal cause; and when he received the government from Ormond, he was fully sensible of the impossibility of effecting any thing essentially important to the service of his Royal Master.* Although the King, still being in the hands of the Scots, dared not openly avow the treaty then pending with the Duke of Lorraine, to re-establish the Royal Authority in Ireland, yet he did all he privately could to forward it, and afterwards, when he was out of the hands of the Scots, he wrote† to his Highness from Paris, to solicit his and the assistance of other Catholic Princes, against their and his own enemies. Nay, even Ormond, as he had now withdrawn himself from the dangerous situation, in which he had placed his successor, finding his once-favored puritans going greater lengths than he

* The account which Clanrickard gives of the state of Ireland, on the 12th April, 1661, is an honorable and unquestionable proof of the unshaken loyalty of the nation, in the last extreme. Clan. Mem. p. 24. for which, vide Appendix, No. XXXVI.

† For this letter, vid. App. No. XXXVII.

perhaps

perhaps wished or expected, notwithstanding his horror of Popery, did not scruple to recommend the sending *fitting ministers, and proposing apt inducements* to the Pope himself, for his interposition with Catholic princes, to enable the King's Catholic subjects of Ireland to make head against the rebels.

It has been the general, though ungrateful and unwarrantable practice of most of our authors, to brand the Irish nation with too hasty and unnecessary submission to the arms of Cromwell. But these very authors relate facts contradictory of their own obloquy. “ *The Earl of Orrery himself (says P. Walsh) is a witness beyond exception, that the Irish Catholics were the last in the three kingdoms, that laid down their arms, and gave over fighting for the royal cause.” †Propositions, says Leland, “ were received from the Parliamentarian General, offering them (the citizens of Limerick) a free exercise of their religion, the enjoyment of their estates, churches, and church livings; a free trade and commerce, without any garrison to be imposed upon them, provided they would allow his forces to march through their city, into the county of Clare. The citizens rejected these propositions.” ‡ Which it may be observed, were far more favorable than any, that had been granted or even promised to them by the king or his lieutenant. Whilst the general assembly, which had been convened by Ormond himself, was still sitting at Loughrea, after his departure, under full submission to his successor the Earl of Clanrickard, the regicides made very favorable overtures to them for an accommodation. “ The consequence of it was, says Carte, an excommunication denounced by the bishops, and a proclamation issued out by the deputy, upon the advice of the assembly, against all persons that either served in the army of the rebels, or entertained any treaty with, or made

* Reply to a person of quality, p. 50.

† 3 Lel. 370.

‡ The only disposition that appeared in any part of the nation to favor the rebels, was in the readiness of the peasantry to supply their camp with provisions. For Cromwell issued a proclamation, forbidding any of his army, under pain of death, to hurt any of the inhabitants, or take any thing from them without paying for it in ready money: and under this proclamation, he ordered two soldiers to be hanged in the face of the army, for having stolen two hens from an Irish cottager. Under this security and the *false* assurances of his officers, that they were fighting for the liberties of the Commons, and that every body should thereafter enjoy his own religion and property in freedom, his camp was constantly better supplied than the army of Ormond, whose passage through their country was more dreaded by the peasantry, than that of a most ferocious enemy: such ever had been his rapine, extortion, and oppression.

“ any

“ any submission to them, declaring them guilty of high treason and punish-
 “ able with death, unless within 21 days they quitted the service and left off
 “ all communication with the rebels.” The Irish not only suffered for their
 determined and severely tried loyalty to the royal cause, but more particu-
 larly for the personal bravery and intrepidity, with which they used their
 arms in its defence, of which Dr. Warner gives this honorable testimony, in
 the instance of the brave defenders of Drogheda against Cromwell, at the
 head of 10,000 men and a well appointed battering artillery. “ *On the 9th
 “ of September, the summons having been rejected, Cromwell began to bat-
 “ ter the place, and continuing so to do till the next day in the evening, the
 “ assault was made, and his men twice repulsed with great bravery: but in
 “ the 3d attack, which he led himself, Colonel Wall being killed at the head
 “ of his regiment, his men were so dismayed, that they submitted to the ene-
 “ my offering them quarter sooner than they need to have done, and thereby
 “ betrayed themselves and their fellow soldiers to the slaughter. The place
 “ was immediately taken by storm: and though his officers and soldiers had
 “ promised quarter to all that would lay down their arms, yet Cromwell or-
 “ dered that no quarter should be given, and none was given accordingly.
 “ The slaughter continued all that day and the next, and the governor and
 “ four colonels were killed in cool blood: *which extraordinary severity*, says
 “ Ludlow, with a coolness not becoming a man, *I presume was used to dis-*
 “ *courage others from making opposition.*” And speaking of the taking of
 Wexford, which was betrayed by Colonel Strafford, whom Ormond had made
 governor of the castle, he says, that “ †the slaughter was almost as great as
 “ that of Drogheda.” A modern portrait has been given of the state of Ire-
 land during this calamitous period, with a view to promote it's union with
 Great Britain, in which truth and resemblance have been too grossly sacri-

* Warn. Hist. Reb. 470.

† Ib. p. 476. The Marquis of Ormond in his letter to the king and Lord Byron, says, “ that on
 “ this occasion, Cromwell exceeded himself, and any thing he had ever heard of in breach of faith
 “ and bloody inhumanity: and that the cruelties exercised there for five days after the town was
 “ taken, would make as many several pictures of inhumanity, as are to be found in the Book of
 “ Martyrs, or in the relation of Amboyna.” 2. C. Orm. 84. Pity it was that Ormond had not
 been as prompt to check the progress of Cromwell with his sword, as he was to describe his inhu-
 manity with his pen.

ficed,

ficed, to the glow of colouring and warmth of imagination. “ *After a fierce
 “ and bloody contest for eleven years, in which the face of the whole island
 “ was desolated, and its population nearly extinguished by war, pestilence
 “ and famine, *the insurgents* were subdued, and suffered all the calamities,
 “ which could be inflicted on the vanquished party in a long contested civil
 “ war. This was a civil war of extirmination†.”—A very seasonable me-
 mento is thrown into this composition, addressed to a certain part of the na-
 tion, of “ the blessings of republican liberty dealt out to their ancestors, by
 “ the Usurper Cromwell. His first act was to collect all the native Irish,
 “ who had survived the general desolation and remained in the country, and
 “ to transplant them into the province of Connaught, which had been depo-
 “ pulated and laid waste in the progress of the rebellion. They were ordered
 “ to retire thither by a certain day, and forbidden to repass the Shannon on
 “ pain of death: and this sentence of deportation was rigidly enforced untill
 “ the restoration. Their ancient possessions were seized and given up to the
 “ conquerors, as were the possessions of every man who had taken a part in
 “ the rebellion, or followed the fortune of the king after the murder of
 “ Charles I. This whole fund was distributed amongst the officers and sol-
 “ diers of Cromwell’s army, in satisfaction of the arrears of their pay, and
 “ amongst the adventurers, who had advanced money to defray the expences
 “ of the war. And thus a new colony of new settlers, composed of all the
 “ various sects, which then infested England, Independents, Anabaptists, Se-
 “ ceders, Brownists, Socinians, Millenarians, and Dissenters of every descrip-
 “ tion, many of them infected with the leaven of democracy, poured into Ire-
 “ land, and were put into possession of the ancient inheritance of its inhabi-
 “ tants.”

The real situation of Ireland, at the restoration of Charles II. is more easily

* Speech of the Earl of Clare, in the House of Lords in Ireland, on his own motion for the union, on 10th February, 1800. 2d. Dub. Ed. p. 15.

† It is impossible that an impartial hearer or reader of this discourse, should understand by it, that *the insurgents* who had carried on a fierce and bloody contest for eleven years, and had at length been subdued, were the most loyal part of the king’s subjects, who had been fighting against the parliamentary rebels, in defence of the king and his crown, from the year 1641 to 1652, when they were compelled by imperious necessity (three years after England) to submit to the tyrannical usurpation of Cromwell.

described

described than credited. A people, who had continued determined in fighting for the royal cause, nearly three years longer than any other part of the British empire, reduced to two thirds of their population by the fierceness of their contest with the rebellious regicides, by massacres, famine and pestilence,* stripped of any armed force for defence or attack, expatriated at home, and unexceptionably divested of the scanty remnants of their ancient inheritances, which had not been wrested from them by former plantations. Thus were these unfortunate wrecks of the native Irish the devoted victims to their loyalty, penned up like hunted beasts in the devastated wilds of Connaught, hardly existing in the gregarian and promiscuous possession and cultivation of the soil, without the means of acquiring live or dead stock, and wanting even the necessary utensils for husbandry. The perseverance of these martyrs to royalty, it would be natural to suppose, would have moved the sympathy and challenged the justice of the restored monarch. But Charles was a Stuart, and the Irish nation were his most staunch, unrelenting, and therefore suffering friends. If ever Ireland had a call of gratitude upon the crown of England, it was at the restoration of Charles II.: yet if any period since the invasion of Henry II. be distinguishable for the sufferings of the Irish nation, it was the moment, when that monarch immolated them to the vindictive fury of his own and his father's enemies. Yet such is the force of prejudice against the Irish, who resisted the usurpation of Cromwell, and spent their last blood and treasure in supporting the royal cause, that by the first legislators after the restoration, the rebellious regicides were established and confirmed in the wages of their sanguinary rebellion. This conduct of our ancestors baffles all conjecture: unless the crimes of one kingdom were compromised for the forfeitures of another. Yet in the last session of the last parliament of Ireland, the adulatory incense of gratitude thrown up to the shrine of Cromwell, for having reduced the only persevering royalists under

* Cromwell, says Dalrymple (Mem. 1 vol. p. 267) in order to get free of his enemies, did not scruple to transport 40,000 Irish from their own country, to fill all the armies in Europe with "complaints of his cruelty and admiration of their own valour." These were either bribed, persuaded or forced to take themselves out of their country embodied with their officers. This was the first foundation of Irish corps in foreign armies. They were all Catholics: for all the Protestant forces in Ireland were either transmitted over by Ormond, or after his departure went voluntarily to the rebellious regicides. Borlase says, that in the summer of 1650, 17,000 died of the plague in Dublin alone.

his subjection, bids bold defiance to astonishment.* *It would have been an act of gross injustice on the part of the king, to have overlooked the interests of Cromwell's soldiers and adventurers, who had been put into possession of the confiscated lands in Ireland.*

Of all the leading men in Ireland, who had given the most virulently into the usurpation, were Lord Broghill, and Sir Charles Coote: they during the whole interregnum were presidents of Munster and Connaught; they had been the occasion of taking away more lives in cold blood from the year 1641, than any other men in Ireland, if we except the orders of Cromwell at Drogheda and Wexford: but no sooner did they perceive the turn of the scale in favor of royalty, than they became as prominent in their offers to Charles, as they had been zealous in their services to Cromwell: and Charles in the full glow of his family passion for rewarding his enemies, created *Broghill* Earl of *Orrery*; and *Coote* Earl of *Montrath*; and appointed them lords justices of Ireland.† Sir Maurice Eustace (an old and particular friend of the Marquis of Ormond, says Carte) was at the same time made lord high chancellor. By the advice, management, and contrivance of these four persons, (all determined enemies to the Irish Catholics) was the whole settlement of that kingdom conducted. Commissioners were sent by this party to the king to forward their grand design, which was to call a new parliament, into which no Catholic either peer or commoner should be admitted, in which should be granted a general pardon and indemnity to all Protestants: and in which all the Cromwellians should be secured in their possessions, and the Irish effectually prevented from recovering their estates. The parliament which was convened was so constituted,‡ as to command by a most decided majority whatever measure

* Speech of the Earl of Clare on the 10th of February, 1800, p. 17.

† “These two earls had been, says Clarendon, eminently against the king: but upon this turn, when all other powers were down, were eminently for him. But the king had not then power to chuse any against whom some as material objections might not be made. With them there were too many others, upon whom honours were conferred; upon some, that they might do no harm, who were thereby enabled to do the more.” *Clar. Life*, 2 v. p. 219. Clarendon (to his own cost ultimately) was a warm encourager of this Stuart principle.

‡ This House of Commons consisted of 260 members, of which all but 64 were burgesses: and Cromwell had filled all the corporations throughout the kingdom, inasmuch that they were then all of his party and spirit. In the House of Peers there were about twenty-one Catholic peers and seventy-two Protestant peers, besides twenty-four bishops: their list as it stood in 1688 may be seen App. No. XXXIX.

might be proposed for carrying these expedients into effect: but in order the more surely to effectuate their purpose, and to prevent even a debate on the question, all Catholic members, though not at that time disqualified to sit and vote in parliament, were excluded by the self assumed power of each house: the commons having passed a resolution "that no member should be qualified to sit in their house, but such as had taken the oaths of allegiance and supremacy:" and the speaker of the house of peers (Bramhall, archbishop of Armagh) having proposed a resolution which passed their house "that all the members thereof should receive the sacrament of the Lord's Supper from his grace's own hands." With the like view of preventing the Irish Catholics from sending over agents to England to oppose or counteract the state commissioners as they were then called, who were soliciting the English parliament to except the Irish Catholics out of the act of oblivion and general pardon, the convention at Dublin put in execution all the severe laws and ordinances made by the Usurper; by which the Catholics were prevented from going from one province to another, to transact their business, such as had the more considerable estates were imprisoned, all their letters to and from the capital were intercepted: the gentry were forbidden to meet, and were thereby deprived of the means of agreeing upon agents to take care of their interests, and of an opportunity to represent their grievances at the foot of the throne. The stale device of contriving new Popish conspiracies and rebellions was resorted to, in order to alarm the English parliament into the measure of excluding the Irish Catholics from the general pardon, and quieting possessions in Ireland: Charles published a proclamation for apprehending and prosecuting all *Irish rebels*, (a term now generally adopted as synonymous with *Irish Catholics*) and commanding, that adventurers, soldiers, and others who were possessed of any lands, should not be disturbed in their possessions, until legally evicted, or his majesty, by advice of parliament, should take further order therein. Carte, Leland, and indeed all our historians agree, that the most aggravated, extravagant, and unfounded reports against the Irish, were brought to England, and there received with the utmost avidity, and circulated with every accumulation of inventive selfishness and malice, by incredible numbers of projectors, suitors, sufferers, claimants, solicitors, pretenders, and petitioners who thronged the court, and looked to the Irish forfeitures as the sure fund for realizing their various speculations. Such however was the effect produced by these manœuvres or other means, which have now escaped the

eye of the public, that when the state commissioners from Ireland petitioned both houses of parliament in England to exclude the Irish Catholics from the general indemnity, the Duke of Ormond opposed it, alledging, *that his majesty had reserved the cognizance of that matter to himself*, though it were notorious, that the king but some days before in his speech to parliament had informed them, "that he expected (in relation to the Irish) "they would have a care of his honour, and of the promise he had made "them."* And they were accordingly excluded, to their ruin, the exultation and triumph of their enemies, and the astonishment of all impartial men. Ormond resumed the government of Ireland, and by him were framed and settled the king's declaration, the acts of settlement and explanation, and by him was made out the list of the persons excepted by name† out of the ruinous effects of the act of settlement. By him was recommended the Court of Claims, and under his influence were appointed the first members of it, whose interested partiality and corruption, became too rank even for their patron to countenance. He then substituted men of real respectability to fill their places, but so stinted them in their time for going through the claims of the dispossessed proprietors, (notwithstanding the few cases under which their innocence could be admitted) that when they applied for an enlargement of time in order to go through several thousands of unheard claims, Ormond opposed the application, and rejected a clause in the bill for the relief of these unheard claimants.‡ Under these different circumstances, the representation of this whole transaction made by the highest legal authority in the last parliament of Ireland is the more singular, as it immediately followed an opinion, that Cromwell's conduct in Ireland

* Viz. Explicitly from Breda through the Marquis of Ormond. "That he would perform all grants and concessions which he had either made or promised them by that peace: and which as he had new instances of their loyalty and affection to him, he should study rather to enlarge, than diminish or infringe in the least degree."

† They are about 500 in all; they being the leaders of the noxious party, their merit takes off the guilt of the rest who suffered.

‡ So sensible was Ormond at this time of the injustice he was working against his countrymen, whom he hated on account of their religion, that he thus expressed himself on the subject to Clarendon: (C. O. 3 vol.) "If you look upon the composition of this council and parliament, you will not think it probable, that the settlement of Ireland can be made with much favour or indeed reasonable regard to the Irish. If it be, it will not pass: and if it be not, we must look for all the clamour that can be raised by undone men." The ingratitude and injustice of this conduct to the Irish was too glaring for Ormond not to wish to throw the odium of it upon his creatures.

was essentially advantageous to the British empire." "But," says his lordship, "admitting the principle of this declaration in its fullest extent, it is impossible to defend the acts of settlement and explanation, by which it was carried into effect."*

"The act of settlement professes to have for its object, the execution of his majesty's gracious declaration for the settlement of his kingdom of Ireland, and the satisfaction of the several interests of adventurers, soldiers, and other his subjects there: and after reciting the rebellion, the enormities committed in the progress of it, and the final reduction of the rebels, by the king's English and Protestant subjects, by a general sweeping clause vests in the king, his heirs and successors, all estates real and personal, of every kind whatsoever in the kingdom of Ireland, which at any time from the 21st of October, 1641, were seized or sequestered into the hands, or to the use of Charles I. or the then king, or otherwise disposed of, set out or set apart, by reason or on account of the rebellion, or which were allotted, assigned, or distributed, to any person or persons for adventures, arrears, reprisals, or otherwise, or whereof any soldier, adventurer, or other person was in possession, for or on account of the rebellion. And having thus, in the first instance, vested three fourths of the lands and personal property of the inhabitants of this island in the king, commissioners are appointed with full and exclusive authority, to hear and determine all claims upon the general fund, whether of officers and soldiers for arrears of pay, of adventurers who had advanced money for carrying on the war, or of innocent Papists, as they are called, in other words, of the old inhabitants of the island, who had been dispossessed by Cromwell, not for having taking a part in the rebellion against the English crown, but for their attachment to the fortunes of Charles II.: but with respect to this class of sufferers, who might naturally have expected a preference of claim, a clause is introduced, by which they are postponed after a decree of innocence by the commissioners, until previous reprisal shall be made to Cromwell's soldiers and adventurers, who had obtained possession of their inheritance. I will not detain the house with a minute detail of the provisions of this act: but I wish gentlemen, who call themselves the dignified and independent Irish nation, to know, that

* Speech of Lord Clare.

“ seven millions eight hundred thousand acres of land were set out, under
 “ the authority of this act, to a mottley crew of English adventurers, civil
 “ and military, nearly to the total exclusion of the old inhabitants of the
 “ island. Many of the latter class, who were innocent of the rebellion, lost
 “ their inheritance, as well from the difficulties imposed upon them by the
 “ court of claims, in the proofs required of their innocence, as from a
 “ deficiency in the fund for reprisal to English adventurers, arising princi-
 “ pally from a profuse grant made by the crown to the Duke of York.
 “ The parliament of Ireland, having made this settlement of the island in
 “ effect on themselves, granted an hereditary revenue to the crown, as an
 “ indemnity for the forfeitures thus relinquished by Charles II.”

Certain it is, that strong prepossessions are entertained by many to this day, in favour of Ormond and his conduct both to the king and his countrymen. Historical justice can judge only from facts either satisfactorily proved, or admitted on all hands. We have traced his conduct up to the present period. When the sympathy and justice of his royal master balanced between the claims of the English Protestants, and the Irish Catholics, Ormond's efforts to bias the king in favour of the former, could not fail to be successful with a Stuart, because the latter had been ever faithful to his interests, and the former had been the avowed enemies of himself and family. So far was Ormond from having suffered by these rebellions, insurrections, or civil wars in Ireland, that we read in a letter from the Earl of Anglesey* to the Earl of Castlehaven, published in the latter's memoirs during Ormond's own life (A. D. 1681); “ that his grace (he was then raised to the dignity
 “ of a duke)† and his family, by the forfeiture and punishment of the Irish,
 were

* This authority is the stronger by how much the intimacy and friendship of Lord Anglesey were the greater for Ormond; and we are informed by Leland, after Carte, that when the Duke of Buckingham was endeavouring to supplant Ormond in the king's favour, and made overtures to the Earl of Anglesey for that purpose, the earl rejected these overtures with indignation, and gave Ormond notice of the designs formed against him. *3 Lel. p. 453.* It will however, be candid to apprize the reader of what Ormond himself had to offer in justification of his own conduct, which he has done in the letter he wrote to his majesty, with his reason for quitting the government of Ireland, for which see the App. No. XL.

† An anonymous writer in 1674, in a pamphlet called the *Unkind Defserter*, asserted, that
 “ Ormond's estate before the war cleared but 7000*l.* per annum, it was so heavily charged with
 “ annuities and leases, but that it was worth 40,000*l.* per annum, and that it was at that time
 “ (1674)

“ were the greatest gainers of the kingdom, and had added to their inheritance vast scopes of land, and a revenue three times greater than what his paternal estate was before the rebellion, and that most of his encrease was out of their estates, who adhered to the peaces of 1646, and 1648, or served under his majesty’s ensigns abroad.”* During the remainder of Charles’s reign, many malicious attempts were made to stigmatize the Irish with fresh rebellions: which always served as pretexts for enforcing the execution of the penal laws against the Catholics.† Ormond was worked out of favour by the intrigues of the Duke of Buckingham, and the Earl of

“ (1674) close upon 80,000l. per annum. Now the first part of his new great revenues, is the king’s grant of all those lands of his own estates which were leased or mortgaged: the rest were grants of other men’s estates and other gifts of his majesty. His gifts and grants are thought to amount to 630,000l.” p. 161-2. All these gifts were confirmed by parliament. The printer of this pamphlet was imprisoned at the suit of Ormond, but no answer to it was ever attempted.

* From whence his lordship justly concluded, “ that his grace could not have been very sincere in making either of these peaces with the Irish: but that whatever moved him thereto, whether compassion, natural affection, or any thing else, he was in judgment and conscience against them: and so has he since appeared and hath advantage by their laying aside.” *Cast. Mem. ubi supra.*

† Ormond, who probably was conscious of the king’s disposition and secret wishes to favour the Catholics, did all he could to raise divisions amongst them, by dividing the clergy upon a punctilious form of oath, by which it was then in contemplation to allow the Catholics to express their allegiance to their sovereign. The declaration of the great body of the clergy, which Ormond rejected, may be seen in the App. No. XLI. Not contented with the indignant rejection of the clergy’s remonstrance, he ordered them to disperse, and soon after banished them out of the nation: and so rigorously was this effected, that when Ormond quitted the government, there were only three Catholic bishops remaining in the kingdom; two of them were bedridden, and the third kept himself concealed. If the public conduct of great men may be sometimes traced to their private feelings and passions, it may here be proper to inform the reader, that Walsh (the historian) who was an apostate Franciscan friar, then under the interdict or excommunication of his own bishop, was the particular favourite, creature, and pensioner of Ormond: that Walsh was the most violent opposer of Talbot, the titular archbishop of Dublin, and the rest of the petitioning and remonstrant clergy: that Talbot was the brother of Colonel Richard Talbot, (afterwards Earl of Tyrconnel) who had been sent to the tower in London, for having challenged Ormond for duplicity of conduct in relation to the Irish Catholics, an agent for whom the colonel was; Ormond in complaining to the king, asked his majesty, if it were his pleasure that at this time of day he should put off his doublet to fight duels with Dick Talbot. This conduct of Ormond towards Talbot, did not much raise the duke in the estimation or affection of his countrymen. And the king, who by dying in the Catholic communion, has proved to posterity, that he was long before favourably disposed towards his Catholic subjects, could not much relish this severity of Ormond towards them.

Orrery:

Orrery: he was first succeeded by Lord Robarts, and then the Earl of Effex:* and was at last taken again into the favour of his sovereign, and restored to the government of Ireland, which he retained till the demise of Charles II.; though this king a very short time before his death, had intimated to the Duke of Ormond, his intention of sending over the Earl of Rochester to assume the government in his stead: his grace's removal was one of the first acts of his successor, James II.

* Whilst this nobleman was lord lieutenant in 1674, he thus expressed himself upon the subject of Ormond's gains by the rebellions: " My Lord Duke of Ormond has received above 300,000l. in this kingdom, besides all his great places and emoluments, and I am sure the losses of his private estates, have not been equal to those I have suffered (in the preceding civil war,) and yet he is so happy as no exception is taken to it: (*St. Let. p.213.*)

CHAPTER VI.

THE REIGN OF JAMES THE SECOND.

THE short reign of this unfortunate monarch was pregnant with events of the deepest importance to the Irish nation. That the joy and exultation of the Irish Catholics at the accession of a Catholic prince to the throne should be excessive and even intemperate was to be expected. The turn of the scale of politics in this kingdom was rapid and complete. However differently the few years of James the second's reign are represented by our own and the Irish historians, great allowances must be made for the violence of those party prepossessions, under which they have both written.* I shall advert solely to

* The great book of authority which our authors look up to, and of which the Irish loudly complain, is, *The state of the Protestants of Ireland under the late king James's government, in which their carriage towards him is justified, and the absolute necessity of their endeavouring to be freed from his government, and of submitting to their present majesties is demonstrated.* It was written, as by the title sufficiently appears immediately after the revolution, to make court to King William, and is attributed to Doctor King, who was made Bishop of Derry in 1690, and translated to the see of Dublin in 1702. Doctor Lesley, the famous Protestant divine, wrote an answer to this book, in which he proves most of Doctor King's charges to be either absolutely false or grossly exaggerated. Leslie's answer was never replied to, and by the turn of politics it was suppressed even in the first edition, whereas Dr. King's has gone through several editions. It is curious to attend to what Swift has said of Dr. Lesley, who was a firm *non-juror*. Swift was as little disposed to favor Popery or Papists, as Puritans or Republicans. (*Swift's Preface to Burnet's Introduction to his History of the Reformation*). "Without doubt Mr. Lesley is unhappily misled in his politics: but he has given the world such a proof of his soundness in religion, as many a bishop ought to be proud of. I never saw the gentleman in my life: I know he is the son of a great prelate, who upon several accounts, was one of the most extraordinary men of his age. I verily believe he acted from a mistaken conscience (in refusing to swear allegiance to King William) and therefore I distinguish between the principles and the person. However it is some mortification to me, when I see an avowed *non-juror* contribute more to the confounding of Popery, than could ever be done by an hundred thousand such introductions." It should also be added, that Dr. King had been before the revolution in favor with James, and had expressed sentiments of the staunchest toryism: but on being detected in a correspondence with the Prince of Orange and the northern rebels, was committed to prison: from whence he was discharged upon Lord Chief Justice Herbert's undertaking to answer for his loyalty to King James: at which his lordship was afterwards much vexed.

uncontroverted facts. The earl of Clarendon succeeded Ormond, but he was probably too firmly attached to the Protestant Interest, to give as largely into King James' measures, as was agreeable to the designs of the court.* His instructions clearly bespoke the king's intention of introducing Catholics into corporations, and investing them with magistracies and judicial offices: and being called upon by his instructions to give his opinion upon the legality of the measure, he expressed his readiness to comply with his majesty's commands herein, although contrary to the act of Elizabeth, which directed, that all civil and temporal officers, as well as ecclesiastical, should take the oath of supremacy. The army was, however, soon filled with Catholic officers, the Bench with Catholic judges, (except three who retained their seats) the corporations with Catholic members, and the counties with Catholic sheriffs and magistrates. And the Earl of Tyrconnel was appointed the commander in chief of the army, independent of the lord lieutenant. On the very rumour of these changes and appointments, alarm and consternation fell upon the whole Protestant part of the kingdom: and most of the traders and others, whose fortunes could be transferred, fled from a country, in which they expected a speedy establishment of Popery, and a general transmutation of property. Clarendon and most of the Protestant party complained of the overbearing confidence and presumption of Tyrconnel and the Catholics, by whom, in some instances, their newly acquired power and influence were imprudently exercised. The Catholics, now feeling themselves secure at least in the freedom of their religion, prevailed on Tyrconnel to go to England in order to bring over the king to their

* Hence his frequent complaints of his majesty's want of confidence in him, "I shall be able to do the king more or less service here, according to the credit and countenance the world finds I have from his majesty." And "certainly it would not be to the prejudice of the king's service to have the chief governor a little consulted with. (*State Letters*, 1 vol. page 114) In the same letter to the lord treasurer: he says, "His majesty knows that I will, as well as must obey him." It appears however that the most alarming effects were expected from the sanguine expectations on one side and the fears on the other, that the acts of settlement and explanation should be repealed, and the former proprietors readmitted to their ancient inheritances: for the new lord lieutenant in his speech to the council when he was sworn into office, on the 9th of January 1685-6, expressly told them, "I have the king's commands to declare upon all occasions; that whatever imaginary (for they can be called no other) apprehensions any men here may have had, his majesty hath no intention of altering the acts of settlement." (*Append. to St. Let.* p. 283.)

favorite measure of breaking through the act of settlement. It had now had the sanction and experience of twenty years, and the king saw more inconveniences in throwing the whole national property into a new state of disorder and confusion, than those did, who had been suffering during that whole time from the deprivation of their birth rights.* Tyrconnel however so effectually worked upon the king, as to have disposed him to consent to the repeal of the acts of settlement; and he soon returned to Ireland as lord deputy.

This new arrangement of the government of Ireland with the investiture of such a portion of the civil power of the nation in the hands of Catholics, worked up the Protestants of most denominations to the last degree of suspicion and fear. Tyrconnel was personally obnoxious to them: he was impetuous, resolute, and imperious: he commanded an unbounded influence over the king, and having in his youth been a witness to the bloody carnage at Drogheda, he had ever retained an abhorrence of Fanaticism, with the spirit of which he considered all Protestants more or less infected. Nothing more was wanting to alienate the affections of the Irish Protestants from James and his government: and ere this unfortunate monarch by the advice of imprudent and insidious counsellors had been brought to abdicate the crown of England, the whole Protestant interest of Ireland had already associated against him.†

This

* Tyrconnel was himself a great enemy to the settlement, and he took over with him Mr. Nagle, who was generally esteemed one of the most eminent of the profession of the law, who, whilst in England, wrote a treatise much spoken of in those days upon the injustice of the acts of settlement: it was called the *Coventry Letter*.

† Great allowances are to be made by the impartial observer of the heat of those factious days, in attributing the natural workings of the minds of individuals upon the political circumstances of the day. No man ever spoke with more candor and sincerity upon that subject, than Dr. Lesley, a most zealous defender and apostle of the Church of England. (*Preface to his Answer to Archbishop King*) “Suppose, say they, it were true which Dr. King asserts, as it is most false, that King James while he was in Ireland, did endeavour totally to overthrow the Church established by law there, and set up that which was most agreeable to the inclinations of the major number of the people in that kingdom, who are Roman Catholics: the Jacobites ask, if this were so, whether it be not fully vindicated in the fourth instruction of those which King William sent to his commissioner in Scotland, dated at Copt Hall, May 31, 1689, in these words? *You are to pass an act, establishing that Church government which is most agreeable to the inclinations of the people.*

This singular epoch of the Irish History furnishes the most simple demonstration of the necessity of an incorporate union, and exposes the monstrous anomaly of several independent kingdoms under one sovereign. None of the facts, which in England had amounted to a complete abdication of the crown of England, existed in species, analogy, or relation to the crown of Ireland. Here the royal authority still remained vested in the person deputed

“ By which rule they say, that it was as just to set up *Popery* in Ireland, as *Presbytery* in Scotland: and that the law was not more against the one in Ireland, than against the other in Scotland. That the parliament in Ireland was liable to less exception, than that in Scotland. The one called in the usual form, by writs from their *natural king*, to whom they had sworn: the other by circular letters from a foreign *prince*, to whom they owed no obedience; who could not, nor did pretend any other authority over them or right to the crown, besides *the inclination of the people*. Which therefore they say, in return for their kindness, he has made the standard for *Church Government*, as well as the government of the *State*.

“ That it is only alledged that King James intended to do in Ireland, what he did not do, when it was in his power, and what King William actually did when he was in Scotland, viz. to overturn the Church then by law established. Though King James had truly the argument of the *inclinations of the people*, i. e. of the major part in Ireland, which was but a pretence, and falsely collected in Scotland, from the *fanatic rabble* being let loose, and encouraged to act all outrage upon the *Episcopal clergy*.”

The same author, with equal truth and candor speaks in this manner of King James, whose real character is little known from the distorted caricaturas left of it by most of his cotemporary writers after which the more modern copies have been taken. James had many virtues, and many faults: he was treacherously advised and he was unfortunate. “ I have done, when I have desired the reader not to think that I am insensible of several ill steps, which were made in the administration of affairs, under the government of King James. Nor do I design to lessen them, or make other apology for them, than by doing him this justice to tell what the jacobites offer to prove, and make it notorious: viz. that the greatest blots in his government were hit by those who made them, with design to ruin him, and now boast it as their merit, and are rewarded for it. And though Dr. King represents him to be of so tyrannical and implacable a temper towards the Protestants, yet that it is now publicly known that the fatal measures he took were advised, and often pressed, beyond and against his majesty's inclinations and opinion, by those Protestants, whom his unexampled and even faulty clemency had not only pardoned, for all their bitter virulency in opposing his succession, but brought them into his most secret councils, and acted by their advice. This was the burden of the charge laid against him in the Prince of Orange's declaration: viz. Employing such ministers, and acting by their advice: and though our law says, that the king can do no wrong, and therefore that his ministers are only accountable, yet as Mr. Samuel Johnson laid it open, that we have lived to see the king only punished, and those ministers rewarded, and still employed: and the many grievances complained of in their administration under King James are, by the present discontented, said to be continued and doubled upon us now.”

by

by King James to execute it: the bulk of the people still submitted to it, as it was their duty to do; for it is self-evident, that by the constitution of Ireland, the people of England, the King of England, or the parliament of England could not dissolve or transfer the allegiance of the people of Ireland, which long had been, then was and continued until the late union to be an independent kingdom: and therefore capable of uniting and proper to be united with Great Britain. James II. therefore, continued to be king of Ireland *de jure et de facto*, notwithstanding his abdication of the crown of England.*

Long before King James had left England, the Protestants in the north of Ireland, were generally in arms; appointed themselves officers; enlisted men: armed and arrayed them; they regimented themselves, and had frequent rendezvous: they appeared in the field with drums beating and colors flying: they chose governors of counties, and appointed councils and committees to carry on their business: they disarmed the native Irish, and such of the Protestants, as they suspected not to be cordial to their cause. All this was not only done without the authority of James, at that time king of Ireland; but the royal authority for it was not even pretended. On the contrary, it is manifest by their subsequent conduct, and boasting of it (when the revolution had succeeded) as meritorious, that it was all intended in direct opposition to the king: and was therefore at that time manifestly

* As all independency must be reciprocal, it might with as much reason be argued that the continuance of Ireland's allegiance to James should bind England, as England's discontinuance of it should bind Ireland. And in case of an abdication of the crown of Ireland, it certainly was competent for Ireland to chuse for itself, whether it should continue the crown in the old line of descent, or set aside the old inheritable stock in favor of a stranger and foreigner as the English did. In such case England must have had the right of legislating for Ireland. The most bigotted obloquy alone can impute rebellion to the Irish Catholics for adhering to and fighting for King James their lawful sovereign, until he fled and abandoned them to the conqueror. Dr. Lesley is very pointed about the versatility of the Protestants allegiance in this revolutionary crisis. "Before the association in the north of Ireland, September 1688, they prayed for King James. The beginning of March following, they proclaimed the Prince of Orange king, and prayed for him. The 15th day King James's army broke their forces at Drommore in the north of Ireland, and reduced all but Derry and Enniskillen. Then they prayed again for King James, *that God would strengthen him to vanquish and overcome all his enemies.* In August following, Schomberg went over with an English army, then as far as his quarters reacht, they returned to pray the same prayer for King William: the rest of the Protestants still praying for victory to King James and for his people; and yet now tell us, that all that while they meant the same thing: four times in one year praying forwards and backwards point blank contradictory to one another."

a treasonable levying of war against the crown.* This formidable armed force of the northern Protestants had been gaining strength several months before the landing of William in Torr Bay: and they continued daily in an improving state of organization and regular warfare against the existing government of the country.†

* The association under the orders of which all this was done was established and they began to arm in September 1688. Vide p. 7. of the *Faithful History of the Northern Affairs of Ireland from the late King James's Accession to the Crown, to the Siege of Londonderry, by a Person who bore a great Part in these Transactions*. This author was a predetermined enemy of James.

† It is a matter of no small moment to ascertain the dates of the leading facts of the revolution of 1688, in Ireland: for it bore very differently both in fact and principle upon England and Ireland. That James abdicated in England is as unquestionable, as that he did not abdicate in the same manner and at the same time in Ireland. He left Whitehall when he went to Faversham, on the 11th of December, 1788: but he returned to London, and quitted England only on the 23d of December following: and his abdication was not formally determined in the convention till the ensuing February. Long before any of these three facts could have been known in Ireland, we find (in *Mr. Boyse's Vindication of Mr. Osborne in Reference to the Affairs in the North of Ireland*, p. 11.) that Mr. Osborne was, in November 1688, entrusted by his brethren the Non-conformist ministers and other gentlemen of note and interest in the province of Ulster, to get some gentlemen sent from Dublin to the prince with instructions signed by Archdeacon Hamilton and Alexander Osborne in the name of the rest, to congratulate the arrival of the Prince of Orange into England, and tender their services to him. They accordingly sent a person with a memorial to the Prince of Orange on the 8th of December, 1688, greatly enlarging on those instructions: the original of which papers Mr. Boyse at the time of his writing the before-mentioned pamphlet had in his possession. These very instructions argue a long pre-existing organization, which at that time could be nothing short of downright treason. Such also were the acts of shutting the gates of Londonderry against Lord Antrim's regiment sent thither by the lord deputy, and refusing to quarter two companies of soldiers sent to Enniskillen by the same authority. Which two acts Archbishop King says, *was all that was done by any Protestant in Ireland in opposition to the government before King James deserted England* (p. 118.) We learn from Hamilton's *Actions of the Enniskillen Men*, p. 3, that this happened on the 16th of December, 1688. But it was on the 3d of December that a certain anonymous illiterately worded letter, announcing an intended massacre of all the Protestants of Ireland on the 9th of that month was picked up in Cumber Street and sent to Lord Mount Alexander (and *whether true or counterfeit*, says his grace (p. 115) was spread over the whole kingdom, and about the same time the gates of Derry were shut against Lord Antrim's regiment; which Archbishop King justifies, as they appeared before the town without the king's livery, (p. 115). On the 7th of December 1688 (vide Mackenzie's *Narrative of the Siege of Londonderry*, p. 3) the gates were shut to Lord Antrim's regiment, and on that very same day Mr. Hamilton of Tollimore went to Dublin deputed by these Protestant associates to entreat the Earl of Granard, to put himself at the head of the northern army as their general: to which deputation he returned a very indignant answer: that he knew not what it was to command a rabble: that he had lived loyal all his life, and would not depart from it in his old age, and was resolved, that no man should write *rebel* upon his grave stone. (Lest. p. 79.)

Tyrconnel

Tyrconnel under these embarrassments summoned all the loyal part of the nation to arm in support of the rights of their lawful sovereign, upon which their own rights also depended, against the northern rebels, and the efforts of the usurper, (such was the stile of the castle).

Historical justice obliges us here to remark and confute a most glaring and malicious misrepresentation of Archbishop King (119) where he says: "And lest there should be any terms proposed or accepted by the people in the north, and so, that country escape being plundered and undone, he made all the haste he could to involve the kingdom into blood." The fact is so much the reverse, that several proclamations were made requiring the associators to disperse and promising them pardon. There was one of this nature, dated the 25th of January 1688, which was signed by several Protestants of the council as the Earl of Granard, Lord Chief Justice Keating, &c. to which a reference is made in the proclamation mentioned by the archbishop bearing date 7th of March 1688:* and it is notorious that Mr. Osborne was sent down to the north by the lord deputy before any part of the army was put in motion, with instructions to use all persuasions to the associators to lay down their arms, and give them warning of the very day on which the army would march: with a special instruction, that although ten were excepted in the proclamation, yet he would insist but upon three: and if it should appear, that they took up arms merely for self-preservation, (as was pretended) then he would pardon these said three persons also.†

An army of about 30000 men was soon formed, and officered chiefly with Catholics. James gave constant assurances, that he would come over to head them in person: he was then at the court of Louis the XIVth, who commiserating his fallen state, and envying the rising power of William, his inveterate enemy, offered him a French army to enable him to reassert his rights: which he with true patriotism declined, alledging "that he would recover his dominions by the assistance of his own subjects or perish in the attempt." James sailed from Brest with a strong armament, having on

* This proclamation is to be seen in the Appendix, No. XLII: and is a notable monument of the want of good faith and candor in this trimming prelate: and in justice to the actors in the scenes which his grace was then representing ought to have been comprized in his Appendix amongst other documents of very inferior importance to that public act of government.

† See Mr. Osborne's letter to Lord Massarene taken from the Apology for the Protestants in Ireland. Appendix, No. XLIII.

board 1200 of his own subjects who then were in the pay of France, and 100 French officers, and landed at Kinfale, in March 1689: from thence he proceeded to Dublin, where he was received as king, with great pomp and solemnity.

* “Addresses (says Leland) were instantly poured in upon him from all orders of people. That of the Protestant established clergy touched gently on the distraction of the times, and the grievances they had experienced. He assured them of protection; he promised to defend, and even to enlarge their privileges. But his fairest declarations were received with coldness and suspicion, when all the remaining Protestants of the privy council were removed, and their places supplied by D’Avaux, Powis, Berwick, the Bishop of Chester, and others of his zealous adherents. He now issued five several proclamations: by the first, he ordered all Protestants who had lately abandoned the kingdom, to return and accept his protection, under the severest penalties; and that his subjects of every persuasion should unite against the Prince of Orange. The second was calculated to suppress robberies; commanding all Catholics, not of his army, to lay up their arms in their several abodes: a third invited the country to carry provisions to his troops: by the fourth he raised the value of money: and the last summoned a parliament to meet at Dublin on the 7th day of May; and which did meet, and sit from that day to the 12th of July, and then adjourned to the 12th of November following.†

After these solemn and formal acts of sovereignty, the scene changed to open warfare. The defenders of Derry and the Enniskilleners supported the cause of the revolutionists against James’s forces, till the arrival of an English army of 40,000 men under Schomberg, which was afterwards

* 3 Lel. p. 523.

† As by the turn of events all acts done by James in Ireland after his abdication of the crown of England, are now considered as acts of rebellion, or usurpation upon the royal powers and prerogatives of King William, it would not be decent to refer to them for any other purpose, than that of proving from them, that the bulk of the Irish nation, who still supported and submitted to his authority, sincerely believed they were not committing rebellion against their lawful sovereign. As pieces of historical curiosity, will be found in the Appendix, No. XLIV. the names of those who sat in this parliament, the king’s speech to the parliament, their address to the king, the titles of the acts, and the preamble to the bill which passed the commons for repealing the Act of Settlement.

headed by William in person. In order to blacken and calumniate the great body of the Catholics, who at this time from principle and duty obeyed James, to whom they had sworn allegiance, Archbishop King, and after him many of our modern authors, have represented the Irish army as an hoard of undisciplined rebels, indulging in the extreme of infuriate licentiousness. His grace lays the whole war to the account of Lord Tyrconnel, who could not be prevailed on to defer sending the army to the North till King James's arrival, *but hastened to make the parties irreconcilable, by engaging them in blood and by letting loose the army to spoil and plunder.* (p. 119.) The truth however is, and it ought not to be suppressed, that the Protestants in the North were worse treated by, and suffered more from William's army in one month, than they had from the Irish army from March to the end of August, when Schomberg landed, although during those five months the Irish army were in possession of the whole province, except the towns of Derry and Enniskillen. Dr. Gorge, who was then secretary to General Schomberg, in writing to Colonel Hamilton, whose estate lay in that country, gives the most pointed refutation of this malevolent untruth of the archbishop.* In this letter he informs us, how "it was resolved to treat the Irish Protestants of Ulster rather as enemies than friends. That the goods and stocks of the Protestant inhabitants once seized by the enemy were forfeited, and ought not to be restored, but given as encouragement to the soldiers: that their (the Protestants) oaths and complaints were neither to be believed or redressed; that so an easier and safer approach might be made to invade the little left them by the Irish: that free quartering was the least retaliation that Protestants could give, for being restored to their former estates. If you add to these, the pressing of horses at pleasure, denying the people bread, or seed of their own corn, though the general by his public proclamation requires both, and some openly and publicly contemning and scorning the said proclamation, whereby multitudes of families are already reduced for want of bread, and left only to beg, and steal, or starve; these being the practices, and these the principles, and both as well known to you as to me, it cannot be wondered that the oppressed Protestants here should report us worse than the

* This letter being a very valuable document of a part of Irish history most grossly misrepresented, is given in the Appendix, No. XLV.

Irish. To me it seems most strange, but yet it is true, that notwithstanding all the violence, oppression, and wrong done by these (the Enniskillen and Derry forces), and other of our army, on the impoverished, oppressed, and plundered Protestant inhabitants of this province they have had from us, yet you know what I esteem as a great presage of future good, they continue and remain as firm and faithful to us, as the Irish Papists against us. How frequently do we hear them tell us, that though we continue to injure them, rob and destroy them, yet they must trust in us, and be true and faithful to us." What other testimony can be so conclusive, as the evidence of Schomberg's own secretary, to prove that the Irish Protestants suffered less from the spoil and plunder of Tyrconnel's than Schomberg's army? And that eye witness of the fact, whose interest it was to enhance the excellence and value of William's army, commends the discipline and good government of King James's army, as decidedly superior to those of King William's.

Of all periods in the Irish history the year 1689 is perhaps the most critically important, and requires the chastest colouring. The various acts by which James abdicated the crown of England, viz. by surrendering the executive power, disbanding his army, burning the writs for convening a parliament, casting the great seal into the river, abandoning his post, flying the kingdom, and leaving the invader in possession of the throne, as well as the affections of the majority of the people, could not be pretended to be drawn into a precedent for Ireland, which for want of union, was then an absolutely independent kingdom: the presence of the sovereign, or his deputy, summoning all his liege subjects to their allegiance, bid defiance to all speculative grounds for dispensation or cessation of their former oaths: the resistance made against the attempts of a foreign invader with an army of foreigners, left it no longer dubious, on which side the duty of loyalty called forth every true and faithful subject of the King of Ireland; and the great revolutionary principle emanating from the will of the people in England, operated more than proportionably in the inverse ratio upon Ireland. In order to weigh the conduct of the Irish of that day, in the true scale of impartial justice, it must be cleared of every idea of the then probable, since certain success and happy result of the revolution of 1688: and it will be impossible for any man, who admits that Ireland then was an independent kingdom, that it enjoyed the same constitution as England, that such constitution is formed upon the fair Whig principles
upon

upon which the revolution in England was effected, to aver that an Irishman who had sworn allegiance to King James, summoned by him to defend his person, crown, and country from the invasion of the Prince of Orange, and a foreign army under Marshal Schomberg, willing, like the majority of his countrymen, that the crown of Ireland should be worn by its hereditary monarch, should, in obeying his natural sovereign, become guilty of rebellion and treason, whilst that natural sovereign continued to wear his hereditary crown within his own kingdom. Such *historically* is the case of the Irish, who were **legislatively* declared *rebels* and punished as *traitors* for obeying their sovereign, whilst he continued the functions of the executive within the realm of Ireland.

Steadily as the Irish adhered to their sovereign, to whom they owed natural allegiance, which most of them had confirmed upon oath, yet it

* As the parliaments both of England and Ireland have declared the acts of the Irish parliament that sat under James, to be acts of rebellion and treason, we can make no other than an historical use of them. 7 Wm. III. c. iii. *An Act declaring all Attainders and all other Acts made in the late pretended parliament to be void.* Forasmuch as since the happy accession of his Majesty King William, and the late Queen Mary of blessed memory, to the imperial crown of England, whereunto this kingdom of Ireland is inseparably annexed, united, and belonging, no parliament could or ought to be holden within this kingdom, unless by their majesties authority; yet, nevertheless, divers persons, during the late war and rebellion in this kingdom, did, on or about the seventh day of May, one thousand six hundred and eighty-nine, assemble themselves at or near the city of Dublin, without authority derived from their majesties, and in opposition thereto; and being so assembled, did pretend to be, and did call themselves by the name of a parliament, and acting in concurrence with the late King James, did make and pass several pretended acts or statutes, and did cause the same to be placed and recorded amongst the records and proceedings of parliaments; all which pretended acts were formed and designed in manifest opposition to the sovereignty of the crown of England, and for the utter destruction of the Protestants and the whole Protestant interest in this kingdom, and are and were null and void to all intents and purposes whatsoever: and whereas their said majesties, out of their pious and princely care of, and for their dutiful and loyal Protestant subjects of this kingdom, and for their better security and relief, by an act of their parliament of England, made at Westminster in the first year of their said majesties reign, were graciously pleased to enact and declare, "That the said pretended parliament, so as aforesaid assembled at Dublin, was not a parliament, but an unlawful and rebellious assembly; and that all acts and proceedings whatsoever, had, made, done, or passed, or to be had, made, done, or passed in the said pretended parliament, should be taken, deemed, adjudged, and declared to be null and void to all intents, constructions, and purposes whatsoever." For which the lords spiritual and temporal, and commons, in this present parliament assembled, do return our most hearty and unfeigned thanks to his most sacred majesty.

would be doing them injustice not to allow them the merit of the most depurated loyalty in their attachment to King James. Although he were their natural hereditary monarch, and professed the same religion as the majority of the Irish nation, yet was he far from being in personal favor with them. The conduct of the Stuarts to the Irish had already weaned them from all personal affection for that family: the dastardly flight of James from England, without even attempting a stand against his rival, filled with contempt and indignation a people of quick sympathy and natural bravery. James's natural character was reserved and austere, and when he was in Ireland it was rendered morose and petulant from misfortunes; qualities ill-calculated to gain the warm and grateful hearts of a people supereminently sensible to favor or gratification. This unfortunate monarch had, moreover, imbibed an unaccountable dislike to the Irish; and dislikes are generally reciprocal. As little also were the principles, judgment, and feelings of Tyrconnel in unison with those of his sovereign. The Irish, however, never swerving from their allegiance, naturally availed themselves of the personal presence of their sovereign, to attain the objects of their wishes in a constitutional manner; and in these they rather insisted upon, than requested the concurrence of their sovereign.*

It behoves the historian to represent to his reader the bulk of the Irish

* A singular illustration of this observation is to be found in Lesley, p. 104. "It is a melancholy story (if true) which Sir Theobald Butter, solicitor general to King James in Ireland, tells of the Duke of Tyrconnell's sending him to King James with a letter about passing some lands for the said duke; he employing Sir Theobald in his business, gave him the letter open to read, which Sir Theobald says he found worded in terms so insolent and imposing, as would be unbecoming for one gentleman to offer to another. Sir Theobald says he could not but represent to the duke the strange surprize he was in, at his treating the king at such a rate, and desired to be excused from being the messenger to give such a letter into the king's hands. The duke smiled upon him, and told him he knew how to deal with the king at that time, that he must have his business done: and for Theobald's scruple, he sealed the letter, and told him, now the king cannot suppose you know the contents, only carry it to him as from me. Sir Theobald did so, and says he observed the king narrowly as he read it, and that his majesty did shew great commotion, that he changed colours, and sighed often, yet ordered Tyrconnell's request, or demand rather, to be granted. Thus says Sir Theobald. Many particulars of the like insolence of these Irish to King James might be shewn, but I would not detain the reader; what I have said is abundantly sufficient to shew how far it was from his own inclinations, either to suffer or do such things as were thus violently put upon him by the Irish in his extremity."

nation,

nation, which consisted of Roman Catholics, at this time acting under the full conviction, that their loyalty could only be shewn in their obedience to their natural sovereign King James. They could not be bounden to this allegiance, whilst any other part of the nation owed allegiance to another sovereign: it was therefore consistent with their principle, that all who foreswore their allegiance to King James should be treated as rebels and traitors. The Irish Catholics, like all other human beings, must be ever considered to be actuated by the common feelings of social nature. They were sensible of the ascendancy which circumstances had given them over their sovereign, and were naturally encouraged to make his compliance and assent subservient to their wishes, for what they considered conducive to the interest and welfare of themselves and country. The several acts therefore of this parliament are to be considered rather as the acts of the Irish nation, than the wishes of James; and they are here noticed, to trace the prospects of national happiness and prosperity, in which the Catholics at that time placed their hopes.

The chief of these acts were the Act of Attainder, and the Act for repeal of the Acts of Settlement.* The first of these acts, which is usually spoken of

* These acts are given in the Appendix, No. XLVI. and No. XLVII. as historical documents; to neither of which it appears King James was himself disposed: he could not however, particularly as he was then circumstanced, withstand the general wish of his Irish people. Leslie thus speaks of James's conduct in Ireland: (p. 99.) "And even as to his carriage in Ireland, I have heard not a few of the Protestants confess, that they owed their preservation and safety, next under God, chiefly to the clemency of King James, who restrained, all he could, the insolence and outrage of their enemies, of which I can give you some remarkable instances, and good vouchers. I appeal to the Earl of Granard, whether Duke Powis did not give him thanks from King James, for the opposition he made in the House of Lords to the passing the Act of Attainder, and the Act for Repeal of the Acts of Settlement; and desired that he and the other Protestant lords should use their endeavours to obstruct them. To which the Lord Granard answered, that they were too few to effect that; but if the king would not have them pass, his way was to engage some of the Roman Catholic lords to stop them. To which the duke replied with an oath, that the king durst not let them know that he had a mind to have them stop. I farther appeal to that noble lord the Earl of Granard, whether the same day that the news of the driving the Protestants before the walls of Derry come to Dublin, as his lordship was going to the Parliament House, he did not meet King James, who asked him where he was going? His lordship answered, to enter his protestation against the repeal of the Acts of Settlement: upon which King James told him that he was fallen into the hands of a people who rammed that and many other things down his throat. His lordship took that occasion to

of by modern historians as the act for attainting Irish Protestants, bespeaks in its title the whole purport and tendency of the act: *For Attainder of divers Rebels, and for preserving the Interest of loyal Subjects*. It contains not one word that relates even remotely to any religious distinction: and the preamble of the act refers wholly to those rebellious and traitorous subjects, who had invited and assisted the Prince of Orange, the king's unnatural enemy, to invade that kingdom. At that time it was not a conflict between Protestants and Catholics, nor between Whigs and Tories, nor yet between an English and an Irish party: it was a broad open contest between *Jacobites* and *Guillamites*; the former headed by the natural hereditary monarch, who had not resigned or abdicated but was defending the crown of Ireland against a foreign invader; the latter headed by a foreign prince, who, against the will of the majority of the nation, was working his way to the throne of Ireland by the sword, after having been seated upon that of England by the invitation of the people of England, who by James's abdication had found themselves without a supreme executive magistrate. In England the change of government in 1688 was a revolution of principle rather than of violence: in Ireland it was a hard fought conquest. This may be properly termed the first real conquest of Ireland by the sword: the unsuccessful became the *rebel* by the fortune of the day.

Although James were averse from passing the acts I have already mentioned, it is probable that he strongly encouraged another act which passed, **for the advance and improvement of trade and for encouragement and increase of shipping and navigation*, which would have operated greatly to the welfare and prosperity of Ireland; inasmuch as it purported to throw open to Ireland a free and immediate trade with all our plantations and colonies; to promote ship building, by remitting to the owners of Irish built vessels, large proportions of the duties of custom and excise, encourage seamen by exempting them for ten years from taxes, and allowing them the freedom of any city or sea port they should chuse to reside in, and improve the Irish navy by establishing free schools for teaching and instructing

“to tell his majesty of the driving before Derry: the king told him that he was grieved for it; that he had sent immediate orders to discharge it; and that none but a barbarous Moscovite (for so he stiled General Rosen who commanded that driving, who thereby it seems was bred or born in Moscovy) could have thought of so cruel a contrivance.”

* Which see in the Appendix, No. XLVIII.

the

the mathematics and the art of navigation, in Dublin, Belfast, Waterford, Cork, Limerick, and Galway. If James looked up to any probability of maintaining his ground in Ireland, he must have been sensible of the necessity of an Irish navy: no man was better qualified to judge of the utility of such institutions than this prince. He was an able seaman, fond of his profession; and to his industry and talent does the British navy owe many of its best signals, regulations and orders. His firmness, resolution, and enterprize, which had distinguished him, whilst Duke of York, as a sea officer, abandoned him when king, both in the cabinet and the field.

The battle of the Boyne, which was fought on the 1st of July, 1690, turned the scale of the kingdom: there William, although he commanded a considerable superiority of forces, attended to the duties of a vigilant, steady, and intrepid general; he shared the danger of his army, encouraging it by his presence, voice, and example, even after he had been wounded, and pressed by his officers to retire from the action and be more cautious of his person: whilst James stood at a secure distance a quiet spectator of the contest for his crown; so fearful of his enemy, or diffident of himself or his troops, that his chief concern and preparation before the battle were to secure his personal retreat.* He fled with precipitancy to Dublin, and from thence to Waterford,

* When James, after his flight, arrived in Dublin, he had the ungracious imprudence to reflect upon the cowardice of the Irish. According to a printed account, in the nature of a bulletin, circulated through London at the time of these transactions in Ireland: "At five this morning, being Wednesday, the 2d of July, King James having sent for the Irish lord mayor and some principal persons to the castle, told them, that he found all things against him; that in England he had an army which would have fought, but they proved false and deserted him; that here he had an army which was loyal enough, but would not stand by him: he was now necessitated to provide for his safety, and that they should make the best terms for themselves that they could. He told his menial servants, that he would have no further occasion to keep such a court as he had done, and that therefore they were at liberty to dispose of themselves. He desired them all to be kind to the Protestants, and not injure them or their city; for though he quitted it, he did not quit his interest in it: and so with two or three in company he went to Bray, and along by the sea to Waterford; having appointed his carriages to meet him another way. We hear he did not sleep till he got on ship-board; and having been once driven in again, is since clear gone off." It is also reported, that when James arrived late at night at the castle, the Lady (then styled Duchess) Tyrconnel received him with the most sympathizing respect and condolence, when the king sarcastically complimented her upon the alertness of her runaway countrymen; to which, with

Waterford, where a frigate was ready to convey him back to France. Thus did he leave the worsted relics of his army to make the best stand against the enemy, and procure from him the best terms their personal bravery would entitle them to. The Irish army under Tyrconnel and Sarsfield made a very vigorous resistance against a superior well-disciplined army, acting under the first general of Europe, until they surrendered the town of Limerick, which was their last hold, on the 3d of October, 1691, upon articles* which sufficiently prove in what estimation for valor and steadiness King William held them, even after the many advantages he had gained over them. Thus was Ireland formally and finally reduced by force of arms to the revolutionary government of King William.

The following compendious sketch of this reign, by the late Earl of Clare, shall close this Chapter. "After the expulsion of James from the throne of England, the old inhabitants made a final effort for the recovery of their ancient power, in which they were once more defeated by an English army; and the slender relics of Irish possession became the subject of fresh confiscation. From the report made by the commissioners appointed by the parliament of England in 1698, it appears, that the Irish subjects outlawed for the rebellion of 1688, amounted to three thousand nine hundred and seventy-eight, and that their Irish possessions, as far as could be computed, were of the annual value of two hundred and eleven thousand six hundred and twenty-three pounds; comprising one million sixty thousand seven hundred and ninety-two acres. This fund was sold under the authority of an English act of parliament, to defray the expences incurred by England in reducing the rebels of 1688; and the sale introduced into Ireland a new set of adventurers.

"It is a very curious and important speculation to look back to the forfeitures of Ireland incurred in the last century. The superficial contents of the island are calculated at eleven million forty-two thousand

with becoming spirit, she replied, that his majesty had at least the advantage of any of them. There is no question, but that the Irish would have stood by James to the last, had he not so shamefully fled. Although his army retreated in good order, so as to command the admiration of the enemy, yet, indignant at the dastardly conduct of their commander, they cried out generally to the enemy, as they retreated, "exchange kings and we will fight the battle over again."

* For which see Appendix, No. XLIX.

“ six hundred and eighty-two acres. Let us now examine the state of
 “ forfeitures:

			<i>Acres.</i>
“ In the reign of James I. the whole of the province of Ulster			
was confiscated, containing	—	—	2,836,837
“ Set out by the Court of Claims at the Restoration		—	7,800,000
“ Forfeitures of 1688	—	—	1,060,792
Total			<u>11,697,629</u>

“ So that the whole of your island has been confiscated, with the exception
 “ of the estates of five or six families of English blood, some of whom had
 “ been attainted in the reign of Henry the VIIIth, but recovered their
 “ possessions before Tyrone’s rebellion, and had the good fortune to escape
 “ the pillage of the English republic inflicted by Cromwell; and no in-
 “ considerable portion of the island has been confiscated twice, or perhaps
 “ thrice, in the course of a century. The situation therefore of the Irish
 “ nation at the revolution, stands unparalleled in the history of the in-
 “ habited world. If the wars of England carried on here, from the reign
 “ of Elizabeth, had been waged against a foreign enemy, the inhabitants
 “ would have retained their possessions under the established law of civilized
 “ nations, and their country have been annexed as a province to the Bri-
 “ tish empire.”

PART III.

OF THE STATE OF THE IRISH NATION, FROM THE REVOLUTION UNDER JAMES II. TO THE CLOSE OF THE UNION.

CHAPTER I.

THE REIGNS OF WILLIAM AND MARY, AND WILLIAM.

THE Revolution of 1688 opens to our view a new scene of Irish politics. Whatever civil advantages were gained or established at that epoch in England, vainly do the Irish look up to it, as the æra of their commencement or improvement of constitutional liberty. Then more than ever was Ireland treated as a conquered people, its independence violated, its national consequence and dignity debased. It appears to have been the systematic policy of the British cabinet of that day, not only to trample on the rights of the individuals, through their immediate governors, but to extinguish the very idea of an independent legislature in Ireland.*

When

* Mr. Burke, viewing this situation of his country as a statesman and a philosopher, has left a masterly portrait of it. (*Letter to Sir Her. Lang. p. 44.*) "By the total reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and in a great measure too of the first races of the English, was completely accomplished. The new interest was settled with as solid a stability as any thing in human affairs can look for. All the penal laws of that unparalleled code of oppression, which were made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon, and were

When we throw back our attention to the circumstances of those days, it appears unaccountable, that the articles of Limerick, to which the great seal of England had been affixed, should have been so quickly and so barefacedly infringed in the face of the nation. Two months had not elapsed, when, according to the testimony of Harris, the avowed encomiast of William, the lords justices and General Ginckle endeavoured to render the first of those articles of as little force as possible. Nay, * "the justices of the peace, sheriffs, and other magistrates presuming on their power in the country, did, in an illegal manner, dispossess several of their majesties subjects not only of their goods and chattels, but of their lands and tenements, to the great disturbance of the peace of the kingdom, subversion of the law, and reproach of their majesties government." So little delicate was the government, at this time, of the observance of them, that Harris scrupled not to confess, that "Capel, lord justice in 1693, proceeded as far as it was in his power to infringe the articles of Limerick."† We shall be less surprized at this open violation and defiance of the articles of Limerick, when we consider that they were boasted of by the friends of

"not at all afraid to provoke. They were not the effects of their fears, but of their security. They who carried on this system, looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain, that no complaints of the natives would be heard on this side of the water, with any other sentiments than those of contempt and indignation. Their cries served only to augment their torture. Machines which could answer their purposes so well must be of an excellent contrivance. Indeed at that time in England the double name of the complainants, *Irish* and *Papists*, (it would be hard to say singly, which was the most odious) shut up the hearts of every one against them. Whilst that temper prevailed in all its force to a time within our memory, every measure was pleasing and popular, just in proportion as it tended to harass and ruin a set of people, who were looked upon as enemies to God and man; and indeed as a race of bigotted savages, who were a disgrace to human nature itself."

* Harris's Life of King William, p. 357.

† Ibid. p. 350.

It appears also from a letter of the lords justices of the 19th of November, 1691, that their lordships "had received complaints from all parts of Ireland of the ill treatment of the Irish who had submitted, had their majesties protection, or were included in articles: and that they were so extremely terrified with apprehensions of the continuance of that usage, that some thousands of them, who had quitted the Irish army, and went home with a resolution not to go to France, were then come back again, and pressed earnestly to go thither, rather than stay in Ireland, where contrary to the public faith as well as law and justice, they were robbed of their substance and abused in their persons."

James

James as the most advantageous capitulation recorded in the annals of war, and for that amongst other reasons they were condemned by the Irish Protestants, and some of the most violent Whigs in England, as dishonourable to the arms of William and unjust to his best friends in Ireland. The Irish Protestants more apprehensive of their own danger from the comparative paucity of their numbers, than their brethren in England, more severely censured the moderation of William in consenting to articles favorable to their opponents, and lamented their having perhaps lost for ever the advantage of crushing the Catholics, with some signal aggravation of rigor, that should take away the possibility of their raising their heads again. In no sense could the Revolution of 1688 be termed any thing else to the Irish than a mere conquest, and a conquest of the harshest nature, inasmuch as it was not followed up by a participation of civil rights and liberties between the conquerors and conquered, but acted upon as a new ground for imposing additional severities upon the former grievances of the vanquished. "It was (as Mr. Burke observed, in defiance of the principles of our revolution) the establishment of the power of the smaller number, at the expence of the civil liberties and properties of the far greater, and at the expence of the civil liberties of the whole." Under the imperious circumstances of a great nation's recovering from the agonies of a long and bloody contest, it might have been expected, that some things should have been necessarily done by the executive, until the legislative power could be conveniently called upon to ratify and confirm them. But although Ireland, as an independent kingdom, claimed, under William, the same rights which it had enjoyed under his predecessors; yet did the parliament of England usurp the right of legislating for Ireland, in as free and uncontrouled a manner, as if Ireland had no right to a parliament of its own. Thus in the year 1691, before William had convened an Irish parliament, the English parliament passed an act to alter the laws of Ireland, upon the most essential and fundamental rights of the subject, by excluding the Roman Catholics, who then composed the decided majority of the nation, from a seat in either House of Parliament.* And when a pure

* Viz. 3 William and Mary, c. ii. *An Act for the Abrogating the Oath of Supremacy in Ireland, and appointing other Oaths.* It must also be remarked, that the 11th section of this act contains an exception of persons comprised in the Articles of Limerick, which amounts to a legislative recognition of them.

Protestant parliament had been convened in the year 1692, so little satisfied with it was the parliament of England, that they continued their legislative encroachments upon Ireland, by enacting whatever laws they thought proper for regulating and settling the legal, civil, military, and ecclesiastical departments in Ireland, for checking their commerce and disposing of their property. The Roman Catholics being shut out of parliament, either withdrew or were driven out of the field of politics. Their submissive forbearance under a most severe extension of the penal code during the present and subsequent reign, is the single point relating to them which has arrested the notice of any historian of that day. This bulk of the nation had a physical, not a political existence; nor were they ever brought under the consideration of the government, but as objects of some new rigor or severity.

In the higher orders, the progress of the Reformation had latterly been much more rapidly extended than formerly. And the English who were now domiciliated in Ireland, were, from plantations, forfeitures, and other causes, surprizingly multiplied. These two descriptions of persons, whose ultimate aim in the former reigns had been to acquire an ascendancy over the old native Catholic interest of the country, now began to consider themselves an independent Irish interest: and although the Revolution did not let in the Irish nation immediately to those civil rights and liberties which it imparted or secured to England, yet it enkindled in those who gave into it, a spirit of freedom, which disposed them to insist upon the constitutional rights of Irishmen.

In no sense whatever did the Revolution of 1688 open to Ireland any of those constitutional blessings which were so strongly asserted by it in England. The supporters of the Whig interest in Ireland, differed from those who forwarded the Revolution in England, in principle, in action, and in views. The Irish Whigs of that day were the relics of the Oliverian party, avowing no other principle than that of retaining the monopoly of the power of the few, over the bulk of the nation; acting upon them with arbitrary severity, in order to rivet the whole native power of the country in disgraceful and everlasting thralldom. So deeply rooted was this *pseudo Whiggism* of 1649, implanted in most of the Irish Protestants of that day, that the lapse of more than a century has not eradicated it. It will be the candid duty of the historian, to trace its progress and operation upon the
the

the nation at large, and to discriminate between their political conduct towards their country, and that of another Protestant party, who have from time to time endeavoured to set up the genuine principles of the English Revolution, against the systematic abuse of them by their Protestant opponents in Ireland.* It has been observed by a late respectable historian,† that

“ the persons whom the king appointed lords justices, discovered an arbitrary
 “ spirit, and great partiality in the dispensation of justice: the trial of
 “ crimes was often conducted in a summary way, and without regard to the
 “ essential forms of law: evidence was suppressed with the connivance of the
 “ judges, the principal transgressors were acquitted, whilst those who acted
 “ under their direction and influence, suffered the extreme vengeance of
 “ the laws. But in no case did the management of the justices appear more
 “ iniquitous and oppressive than in regard to the Irish forfeitures. The
 “ most beneficial leases were not only retained for themselves and their
 “ friends, but in the competition for estates and farms, the lowest bidders
 “ were sometimes preferred, which unavoidably led to the suspicion of
 “ secret compensation being made them for flagrant breach of trust. These
 “ misdemeanours and the grievances occasioned by them, produced com-
 “ plaints and disaffections, which were made the ground of specific charges,
 “ presented to the legislature in both kingdoms. Enquiries were instituted;
 “ important discoveries were made; but the extreme intricacy and tedious-
 “ ness of this business, the private concerns of the parties in England, and
 “ the industry of powerful individuals, who were not themselves free from
 “ all accession to the guilt alledged, prevented any effectual redress of public
 “ abuses, and the punishment of state delinquents.”

Lord Sydney having been created lord lieutenant, immediately issued writs and convened a parliament; the primary object of which was to raise supplies to discharge the debts contracted during the war. There had been no parliament in Ireland, except that which sat under James, for the last twenty-six years: and although the parliament of England had undertaken to

* This is the important clue that can alone lead the reader through the intricate mazes of historical misrepresentation, to a fair unbiassed judgment and an unclouded view of the present state of Ireland. Out of this ground of difference arises the modern distinction between the true constitutional Whig and Orangeman of Ireland, to which, in the proper time and order, I must draw the attention of my reader.

† Sommers's History, 1 vol. p. 486.

legislate for Ireland on the most important matters of state, yet had it not proceeded to the extent of raising money directly upon the people of Ireland. The Irish parliament could not be insensible of the encroachments made on their independence; they felt their consequence, and manifested by their conduct their resentment of these measures of government. The commons consented to grant a sum not exceeding 70,000*l.* pleading the inability of the people from the calamities of the late wars to encrease the grant. They considered it to be their indisputable right to determine in the first instance both the sum and the manner of raising every supply granted to the crown. In violation of this privilege, two money bills, which had not originated with them, were transmitted from England, and laid before the House of Commons. In resentment of this encroachment upon their privileges, they rejected one of them, and from the extreme urgency of the case alone they consented to pass the other; but not without having entered very pointed resolutions upon their journals in support of their rights.* His excellency was highly enraged at these resolutions, and in his speech, upon proroguing the parliament, he severely reprimanded them for having, in contravention of the design of their meeting, undutifully and ungratefully invaded their

* 2 Journ. 28. “ 21st of October, 1692. *Resolved*, that it was, and is the sole and undoubted
 “ right of the commons of Ireland, in parliament assembled, to prepare and resolve the ways and
 “ means of raising money. *Resolved*, that it was, and is the undoubted right of the commons to
 “ prepare heads of bills for raising money. *Resolved*, that notwithstanding the aforesaid rights of
 “ the commons, this house doth think fit, upon consideration of the present exigencies of affairs,
 “ and the public necessity of speedily raising a supply for their majesties, to order that a bill, trans-
 “ mitted out of England, intituled, An Act for an additional Duty of Excise upon Beer, Ale, and
 “ other Liquors, be now read: whereupon the said bill was read the first time, and ordered a second
 “ reading to morrow morning at 10 o'clock. *Resolved*, *nemine contradicente*, that the receiving or
 “ reading of the said bill, so transmitted as aforesaid, be not drawn into precedent hereafter. 28th
 “ of October, 1692. A motion being made, and the question being put, that a bill now on the
 “ table, intituled, An Act for granting to their Majesties certain Duties for one Year, might be
 “ read, it passed in the negative. *Resolved*, that the said bill be rejected by this house. *Resolved*,
 “ that it be entered in the Journal of this house, that the reason why the said bill was rejected, is,
 “ that the same had not its rise in this house.” On the 3d of November, 1692, the lord lieutenant,
 in a very angry speech, prorogued the parliament, in which he severely reprobated these resolutions,
 and required the clerk to enter his protest (quod vide in Appendix, No. L.) against them, that
 it might remain as a vindication of their majesties prerogatives and the right of the crown of
 England in these particulars to future ages. After two prorogations, this parliament was dissolved
 on the 5th of September, 1693.

majesties

majesties prerogative. The commons requested permission to send commissioners to England, in order to lay a full and impartial statement of their conduct before their majesties; when they were tauntingly assured by the lord lieutenant, that *they might go to England to beg their majesties pardon for their seditious and riotous assemblies*. The lord lieutenant in justification of his conduct procured the opinion of the judges against the right, which the commons claimed of having money bills originate with them. This unexpected and ungracious prorogation created general discontent: several bills of importance remained to be perfected, several grievances to be redressed. Sydney became unpopular; and government found it prudent to recal him.

Upon the removal of Lord Sydney, the government was vested in three justices, Lord Capel, Sir Cyril Wyche, and Mr. Duncombe. Difference of principle disunited their government, which shortly after was concentrated in Lord Capel, as lord deputy. He best knew the disposition and wishes of the English cabinet, and warmly espoused the interest of the English settlers, and as eagerly opposed the claims of the Irish under the articles of Limerick. Sir Cyril Wyche and Mr. Duncombe, regardless of court favor, fought impartially to give the full effect to the articles of Limerick, upon which the court party and the Protestants in general, looked with a jealous eye, as prejudicial to their interest. The inflexibility of Wyche and Duncombe soon worked their removal: and the accommodating zeal of Capel enabled him to displace all those, who thwarted his designs. Several changes were made in the administration, and a new parliament was convened.

The business of this session was at first undisturbed, and the supplies which had been required, were quietly granted. Several new penal statutes were enacted against the Catholics;* some of which were in direct contravention to the articles of Limerick. Yet a law was made in this parliament for the confirmation of these very articles;† but which in fact was an abridge-

* Such were, An Act to restrain foreign Education, 4 William and Mary c. iv. An Act for the better Securing the Government by disarming Papists, 4 William and Mary c. v.—An Act for banishing all Papists exercising any Ecclesiastical Jurisdiction, and all regulars of the Popish Clergy out of the Kingdom, 9 William III. c. i. An Act to prevent Protestants intermarrying with Papists, 9 William c. iii. An Act to prevent Papists being Solicitors, 9 William c. xiii.

† An Act for the Confirmation of Articles, made at the Surrender of the City of Limerick, 9 William III. c. ii.

ment rather than a confirmation of them in several instances.* Notwithstanding the tide of courtly prejudice against the tendency and observance of these articles, Sir Charles Porter, the chancellor, nobly dared to stand up in support of them. This conduct of the chancellor brought upon him the whole vengeance of the castle. The lord deputy is reported, with the assistance of his friends and creatures, to have procured a charge to be fabricated against him, by which he was accused of designs hostile to government. In support of the accusation, a motion was made in the House of Commons, but on being heard in his own justification, he was most honourably acquitted.

However glorious in the cause of civil freedom were the exertions of our ancestors at the revolution, yet the unbiassed mind must necessarily doubt the purity of their patriotism, when it contemplates the English parliament and government opposing that very liberty in Ireland, which they so zealously supported in England. The fermentation between England and Ireland became alarming. It was no longer a contest between a conqueror and an oppressed people, reclaiming their natural, civil, or religious rights. The bulk of the nation was so dispirited and reduced under their sufferings, that their feeble moans were scarcely heard on their own shores, much less across St. George's Channel: they existed only as the passive objects of persecution. The conflict was with that very Protestant ascendancy in Ireland, which it had been the primary policy of the English cabinet for the last century to establish, and which now only had been effectually accomplished. It was impossible that civil liberty should make the progress it did in England, and that Ireland should be more than insensible of its blessings. The Irish legislature was called upon, to surrender and renounce those very rights, which the English parliament had so gloriously asserted. Mr. Molyneux, one of the members for the university of Dublin, a very popular character, was the most forward in the cause of Irish patriotism. In

* Whilst this bill was pending, a petition was presented by Mr. Cusac and some few, on behalf of themselves and others, comprised in the articles of Limerick, setting forth that in the bill there were several clauses, that would frustrate the petitioners of the benefit of the same: and if passed into a law, would turn to the ruin of some, and the prejudice of all persons entitled to the benefit of the said articles, and praying to be heard by counsel to the said matters: which having been presented and read, it was unanimously resolved, that the said petition should be rejected. 2 *Journ. Com.* p. 194.

1698, he published his famous book, intituled "*The Case of Ireland's being bound by Acts of Parliament in England stated*," which greatly encreased his reputation, influence, and popularity within and without the parliament of Ireland.*

This book was written in a strain of independent discussion and spirited assertion, to which Ireland had hitherto been a stranger. The author considered how Ireland originally became annexed to the crown of England, how far this connection was founded in conquest, what were the true and lawful rights of the conquerors over the conquered, and whether those rights, whatever they might be, extended to posterity indefinitely; and finally, what concessions had been made to Ireland, and what were the opinions of the learned, who had handled the subject: he closed with strong inferences in support of a perfect and reciprocal independence of each kingdom upon the other.† As by the first act, which the Irish legislature passed under William

* The Bishop of Derry, who published his book in 1723, and dedicated it to William Conolly, Esq. the then speaker of the House of Commons says, p. 138, "that this gentleman was allowed by every body, to write like a person of good parts, good learning, and good breeding: and it was generally thought an excusable failure in his case, if his zeal for the honour and interest of his native country sometimes exceeded his knowledge. But it so happened, that immediately upon the publishing of his book, the English House of Commons made an humble address to the king, wherein they took notice of *dangerous attempts lately made by some of his subjects in Ireland, to shake off their subjection and dependence upon England*, taking also particular notice of the *bold and pernicious assertions of this writer*. Hereupon, adds this learned prelate, several dabbblers in English laws and politics, looked upon themselves as called to arms." The intemperate violence of the English commons on this occasion appears from a paragraph in the first form of their address, which upon a second reading was prudently omitted; namely, "and that your majesty would be pleased to order copies of the journals of the last parliament, and so from time to time of all succeeding parliaments of Ireland, to be transmitted into England, in order to be laid before the parliament here, and to discourage all things, which may in any degree tend to lessen the dependence of Ireland upon England." *Eng. Journ. Com.* 30 June, 1698. It is singular, that from the surrender of Limerick, no public charge or accusation of any attempt to throw off their dependence upon the crown of England was ever raised against the Roman Catholics of Ireland. This charge and interference by the English commons have been ever considered by the Irish, as unwarrantable and unconstitutional. The body of Catholics was in no manner implicated in it. This publication of Mr. Molyneux was the first effort of notoriety made in Ireland by an Irish Protestant in favour of the civil liberty of Ireland.

† As it was upon the principle and admission of such previous independence that the union was ultimately effected, nothing can more forcibly illustrate the mischief of that gross anomaly in politics,

William and Mary, they had especially recognized, that "the kingdom of Ireland was annexed and united to the imperial crown of England, and by the laws and statutes of this kingdom (Ireland), was declared to be justly and rightfully depending upon and belonging and for ever united to the same," it was clearly impossible to reconcile the theory of perfect independence with the practice: the very exigencies of human policy required, that the predominancy of the power of England should, throughout every department of Irish government and legislation, command an ascendancy, against which the only remedy lay in an incorporate union. With reason then did the late Lord Clare assure the House of Peers on the 10th of February, 1800, "that our ancestors saw the seeds of disunion in the connexion, which at this time subsisted between Ireland and England."

*The English House of Commons took up the gauntlet with a high hand: a committee was appointed to examine Mr. Molyneux's book, and to report such passages as they should find denying the authority of the parliament of England, and also what proceedings had taken place in Ireland, that might occasion the said pamphlet. On the 22nd of June, 1698, the committee reported the obnoxious passages, and stated, that on enquiry into the proceedings in Ireland, which might occasion the pamphlet, they found in a bill transmitted under the great seal of Ireland, during the late parliament there, intituled, "A Bill for the better Security of her Majesty's Person and Government," that the whole of an act passed in England for abrogating the oath of supremacy in Ireland, and appointing other oaths, was re-enacted with some alterations; and that in the same bill, the crown of Ireland was stiled the imperial crown of Ireland. Upon this report, the house resolved *nemine contradicente*; "that the book published by Mr. Molyneux was of dangerous tendency to the crown and people of England,

tics, imperium in imperio. It is a metaphysical truth, that all independence must be reciprocal: and therefore it becomes a matter of more astonishment, that Mr. Molyneux's arguments, which it is understood had been revised and perused by his friend the great Lock, and from whose works several of them had been borrowed, should have met with so different a reception from the advocates and supporters of the principles of the revolution in England. Two persons attempted to answer Mr. Molyneux's book, Mr. Atwood, and Mr. Cary: the latter with infinitely more ability than the former. Atwood was a barrister, and Cary a Bristol merchant. Of their works the Bishop of Derry said: "the merchant argues and pleads like a counsellor at law: and the barrister strings his small wares together like a shopkeeper." (*Hist. Lib. p. 139.*)

* Speech of the Earl of Clare, p. 23.

" by

“ by denying the authority of the king and parliament of England to bind
 “ the kingdom and people of Ireland, and the subordination and dependance,
 “ that Ireland had and ought to have upon England as being united and
 “ annexed to the imperial crown of England.” They resolved also, “ that
 “ the bill lately transmitted from Ireland, whereby an act of parliament
 “ made in England expressly to bind Ireland, is pretended to be re-enacted,
 “ had given occasion and encouragement to forming and publishing the
 “ dangerous positions contained in the said book.” The house in a body
 presented an address to the king, enlarging in terms of great indignation
 on the book and its pernicious assertions, and on the dangerous tendency
 of the proceedings of the Irish parliament; beseeching his majesty to exert
 his royal prudence to prevent their being drawn into example, and to take
 all necessary care, that the laws which directed and restrained the parliament
 of Ireland in their actings, should not be evaded; and concluding with
 an assurance of their ready concurrence and assistance in a parliamentary
 way, to preserve and maintain the dependance and subordination of Ireland
 to the imperial crown of England. The king answered, “ that he would
 “ take care, that what was complained of should be prevented and redressed
 “ as the commons desired.” Thus were the parliaments of the two coun-
 tries at issue.

It has been the fate of Ireland to experience more harshness from the
 English government, than any other part of the British empire: on none
 has the hand of the conqueror pressed so heavily. The inflexible tena-
 city of the Irish to their old religion has been generally and not without
 reason, assigned as the cause of it. Yet singular it is, that under a sove-
 reign, who was called over by the nation as the assertor and protector
 of their rights and liberties, and under the first Irish parliament, which
 consisted purely of Protestant members, the absolute paramount sovereignty
 of England was more loftily claimed and sternly exerted than at any
 other period. The laws by which the English legislature prohibited the
 exportation of wool and woollen manufactures from Ireland, upon pain
 of confiscation, imprisonment, and transportation, and by which no acquittal
 in Ireland of any offence against these statutes was allowed to be pleaded
 in bar of any indictment upon them within the kingdom of England, were
 considered as grievous usurpations upon the independent constitutional*
 rights

* It evidently contradicts the first principles of our constitutional jurisprudence, that a free subject
 after

rights of Ireland. The English parliament's interference also with the Irish forfeitures created a new and most inveterate ground of jealousy and rancour between the two legislatures.

Although William had been called to the British throne for the avowed purpose of protecting our civil rights and liberties, yet no monarch was ever more thwarted by his parliament in his views and inclinations towards his subjects. It might be unfair to charge him with the odium of several public measures, which the violence of party compelled him to yield to. The strong measure of withholding the royal assent from bills, that had passed the two houses of parliament, could not be expected from William, who so peculiarly held his crown by parliamentary tenure. On no occasion were his feelings so severely wounded by the imperious ascendancy of his English parliament, as on passing the act for resuming the forfeited estates in Ireland. William had exercised his discretion in making grants of the forfeited lands in Ireland to several, who had either deserved well of their country, or had acquired interest at court. The commons of England were jealous of the king's favors, and charged his majesty with the breach of promise, that he would not grant away any of those lands, but permit them to be sold for the use of the public, in order to clear the heavy expences of the late war. They accordingly resolved to set aside the seventy-six grants he had made. By act of parliament, a commission of seven persons was instituted, to enquire into the value of the confiscated estates, which had been disposed of, and into the reasons, upon which they had been alienated from the public. There certainly was some personal resentment against the king, in instituting the scrutiny into the reasons of the royal grants. The interference of the English parliament with these concerns of Ireland, was unwarrantable, whilst Ireland had an independent parliament of their own. The English parliament, however, assuming a general tutelary power over every part of the British empire, actually resumed these grants, which they considered the king to have made inconsiderately and extravagantly. The majority of these commissioners were strongly in the interest of the parliament, the

after having been tried upon a penal statute in his own country and acquitted, may be dragged to a foreign land to undergo a second trial for the same offence, without the advantage of a jury of his countrymen and peers, and probably without witnesses for his defence, or resources for his support.

other

other three were more pliant to the wishes of the crown.* The variances between the two contending parties were productive of this beneficial effect to Ireland, that the eyes of the nation were completely opened to the abuses, which prescription seemed to have sanctioned in the appropriation of Irish forfeitures: and which the Irish legislature had hitherto been ever either unable or unwilling to resist. In this contest the country party prevailed, and† there having been divers groundless and scandalous aspersions cast upon the four commissioners who were of that party, the commons resolved, that they had acquitted themselves in the execution of that commission with understanding, courage, and integrity: and Sir Richard Leving, one of the other three commissioners, was committed to the Tower for having been the author of those reports. Ireland on this occasion was doomed to suffer on both sides; on one from the extravagant grants of the forfeited lands to court favourites, in lieu of applying them to the discharge of the national incumbrances, on the other, by the usurpation and encroachment of the English parliament over the independent sovereignty of the parliament of Ireland. The rights of Ireland were wholly lost in the heat of the contest between the court and country party. The former wishing to reserve some at least of the forfeited lands to the disposal of the crown, put the question, which passed in the negative, and on the next day it was resolved, “ that
 “ the advising, procuring, and passing the said grants of the forfeited and
 “ other estates in Ireland, had been the occasion of contracting great debts
 “ upon the nation, and levying heavy taxes upon the people: and that
 “ the advising and passing the said grants was highly reflecting on the king’s
 “ honor: and that the officers and instruments concerned in the procuring
 “ and passing these grants, had highly failed in the performance of their

* The court commissioners were Henry Earl of Drogheda, Sir Richard Leving, and Sir Francis Brewster; the parliament commissioners were Francis Annesly, John Trenchard, James Hamilton, and Henry Langford, esquires: these four alone, signed the report, which is to be seen in the Appendix, No. LI: it accounts for the appropriation of 1,060,792 acres. It would be difficult to point out the signal services rendered by Mrs. Elizabeth Villiers (she was Countess of Orkney in 1695) in the reduction of Ireland, that entitled her to a grant of 95,649 acres, then worth, per annum, 25,995l. 18s., as will be found by this report. It is to be remarked, that in the seventh article of impeachment against Lord Somers, is contained a charge, that he did advise, promote, and procure, divers like grants of the late forfeited estates in Ireland, in contempt of the advice of the commons of England. 3 vol. *Parl. Hist.* p. 151.

† Ibid. p. 122.

“ trust and duty.” Soon after the act of resumption passed, and the violence done to the king’s feelings in giving the royal assent to it, made a deep impression on his mind and spirits, from which he never rallied to the hour of his death. His majesty’s extreme displeasure was expressed in his speech to the commons, when they addressed him in relation to the Irish forfeitures. “ * Gentlemen, I was not led by inclination, but thought myself obliged in justice to reward those, who had served well and particularly in the reduction of Ireland out of the estates forfeited to me by the rebellion there, &c.” Which answer, when the speaker reported it, the commons so highly resented, that they resolved, “ that whoever advised it, had used his utmost endeavours to create a misunderstanding and jealousy between the king and his people.” The foreboding of King William on this occasion is fairly accounted for by the observation, that † “ whereas the late king, who came over here a perfect stranger to our laws and to our people, regardless of posterity, wherein he was not likely to survive, thought he could no better strengthen a new title, than by purchasing friends at the expence of every thing, which it was in his power to part with.” ‡

The principal, if not the only obstacle, which William had experienced in establishing himself completely on the throne, was the resistance of King James’s Irish subjects. They were the first and last in the field in support of the house of Stuart: and although several penal and severe laws were passed during his reign against the Roman Catholics of Ireland, yet it is but justice to allow, that the royal assent given to them by King William, imported no personal disposition in that monarch to harass or persecute his Catholic subjects on the score of religion. He is generally panegyricized for his spirit of toleration, on account of the act passed in the very first year of his reign, § for easing his Protestant dissenting subjects from the penalties of

* 3 vol. Parl. Hist. p. 122.

† Swift’s Hist. of the Four last Years of Ann, p. 240.

‡ The late Earl of Clare in his speech so often referred to, (p. 25) speaking of this difference between the two parliaments, tells us, “ that the *English colony* (a term strongly marking that the Irish parliament was not then the representative of the Irish nation) however sore they might have felt under the sharp rebuke of their countrymen, were too sensible of the dangers by which they were surrounded and their inability to encounter them, to push this political quarrel to a breach with the English parliament.

§ 1 G. and M. c. 18. An Act for exempting their Majesties Protestant Subjects dissenting from the Church of England, from the Penalties of certain Laws.

several

several laws, which then affected them in common with the Roman Catholics. This, however congenial with the feelings of King William, who was himself a Calvinist or Presbyterian, had been previously arranged by the party that brought him over. It appears certain from Harris's admission and the constant claims of the Irish Catholics, that William had made them a solemn promise to procure them such further security from parliament in the particular of religion, as might prevent them from any future disturbance on that account. In this, however, they were miserably disappointed, not perhaps from that monarch's want of sincerity and favourable disposition towards them, but from his inability to resist the violence of the party, to which he was compelled to yield, to the fore annoyance of his own feelings. Had William been better treated by his English subjects, he would have appeared more amiable in their eyes: for in Holland, where his temper was not ruffled by disappointment and opposition, he was unexceptionably tolerant and universally beloved.* The unexpected death of the Duke of Gloucester, the son of the Princess Ann, in his seventeenth year, and the death of the late King James about the same time, gave rise to the act, by which the crown was settled on the house of Hanover, which was the last act passed in this reign;† this and the subsequent act of abjuration secured the Protestant succession. William's health had for some time been on the decline, but his dissolution was immediately brought on from a fall from his horse, by which his collar bone was fractured. He died in the fifty-second year of his age, and the thirteenth year of his reign.

* Two principal causes however concurred against his being beloved by the generality of his Irish subjects: the first was the enactment of several penal laws against the Roman Catholics: the second was his ready co-operation with the parliament of England to ruin the woollen trade of Ireland. "*I shall,*" said his majesty to the English commons on the 2nd of July, 1698, "*do all that lies in me to discourage the woollen manufacture in Ireland.*"

† This act passed on the 7th of June, 1701. 13 *Gul. c. 6.* It is entitled, An Act for the further Security of his Majesty's person and the succession of the Crown in the Protestant Line, and for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and secret abettors. This important event made little sensation in Ireland, as the whole body of Roman Catholics, from whom alone any opposition to it could have been expected, were excluded from the parliament and every interference with public affairs.

CHAPTER II.

OF THE REIGN OF QUEEN ANNE.

ANN, the daughter of James II. who succeeded William, was the last of the line of Stuart that filled the British throne. The glory of the British arms under the Duke of Marlborough has thrown a glare over the historical pages of this sovereign's reign, that has almost obliterated the melancholy effects of the spirit of party, which infected it throughout. In the meridian heat of Whiggism and Toryism nothing was done in moderation: and few of the transactions of that day have reached us in a form unwarped by the prejudices of the narrators. Throughout every part of the British empire, except Ireland, the constitutional rights of the subject ebbed and flowed with the alternate prevalence of these opposite parties. The Irish nation was doomed to suffer under every Stuart: and the ingratitude of this monarch to them may have contributed not slightly to prevent them from relapsing into their former attachment, when other parts of the British empire rose in rebellion in their support. It strongly marks the folly and unreasonableness of coupling the cause of Popery with that of the Pretender, that in the only part of the British empire, which generally submitted to the spiritual power of the Pope, namely Ireland, an arm has not been raised in aid of the Stuarts, since the accession of the house of Hanover to the British throne.

The queen was alternately led down the stream either by the Whigs or the Tories, as their respective parties gained the ascendancy in parliament: the whole political system of her reign was a state of contest, in which the party in power opposed and thwarted their antagonists by measures of extreme violence. This nearly equal contest of the rival parties in England, kept not the same equilibrium in Ireland. The great mass of the people was forced or frightened out of any political interference with state affairs. The queen, who held her crown against the claims of her brother by the tenure of Protestantism, found herself forced to bury the attachments of natural affection under her zeal for the Church, and became forward in yielding to the cries of both parties in oppressing the great body of her

her Catholic subjects of Ireland. No crimes, no new offences, no attempts against the government were laid to their charge: and a new code of unparalleled rigor was imposed upon this suffering people. They had formerly been deprived of their inheritances, they were now prevented from ever again acquiring an inch of land in that kingdom: and they were subjected to further penalties and disabilities for professing the Roman Catholic religion.* Nothing can more strongly display the abject and abandoned state of the body of the Irish Catholics at this period, than that no man in either house of parliament either dared or chose to stand up in their favor to oppose that act of refined and ingenious rigor *for preventing the further growth of Popery*. Some individuals of the house of commons, who could not altogether reconcile the act to their consciences, by the most disgraceful casuistry affected to clear themselves of responsibility, by resigning their seats to others of a more pliant disposition.† Resignations on this score became so frequent, that the house came to a resolution, “that the excusing of members at their own request, from the service of the house, and thereupon issuing out new writs to elect other members to serve in their places, was of dangerous consequence, and tended to the subversion of the constitution of parliament.” And it was afterwards resolved unanimously, “that it might be the standing order of the house, that no new writs for electing members of parliament in place of members excusing themselves from the service of the house, do issue at the desire of such members, notwithstanding any former precedents to the contrary.” So violent was the tide of prejudice against

* Without entering into a nauseating detail of this new penal code, suffice it to remark with Mr. Burke, “That all the penal laws of that unparalleled code of oppression, which were made after that last event (the revolution) were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon and were not at all afraid to provoke.” (*Lett. to Lang. p. 44.*) And page 87, “You abhorred it, as I did, for its vicious perfection. For I must do it justice. It was a complete system full of coherence and consistency: well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance; and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man.”

† These members instead of opposing what they condemned, like Pilate washed their hands before the people, in proof of their innocence. This prevaricating system of debasement has been since too frequently followed by the temporizing or venal secession of members who wanted the effrontery to support a particular measure, which they left to be carried by the votes of their less punctilious substitutes.

the Catholics at this time in Ireland, that the British cabinet themselves dared not oppose the very rigor and severity which they disapproved of. The passing of this bill affords the most notable instance of Ireland's suffering from the abject stratagem of attempting by sinister and secret means, what the honor and justice of the nation called upon the ministers to effect in an open and manly manner. The queen was at this time in alliance with the emperor, and upon the strength of it had interceded with him for certain indulgencies on behalf of his Protestant subjects: it appeared therefore an ill-judged moment to throw such an oppressive load of persecution upon so large a body of men of his religious persuasion within her states. Her ministers feared the party who had proposed the measure, amongst whom were many dissenters of great power and influence: they dared not openly to oppose it, but from the ungrateful duplicity of Stuart policy devised the following expedient. They superadded to the bill, already furcharged with cruelty, a clause, by which all persons in Ireland were rendered incapable of any employment under the crown, or of being magistrates in any city, who should not, agreeably to the English Test Act, receive the sacrament according to the usage of the Church of Ireland. To this it was presumed the dissenters would not have submitted: and so the bill would be lost. The base experiment failed, and this unintended severity fell upon the Protestant Dissenters and the Roman Catholics, not because they merited punishment, but because a timid and insincere ministry had resorted to duplicity and deceit to screen them from it.*

When this act came into the house of commons loaded with all the severity of intemperate if not factious zeal, and bending under such additional mass of rigor, as the British cabinet had heaped upon it for preventing its passing, no opposition whatever appears to have been raised against it in parliament: no division to have taken place on a single point in any stage of its progress through the houses. In as much as it was conceived by all persons comprized in the articles of Limerick to be a direct violation of those articles, Lord Kingland and Colonel Brown, with several other Roman Catholic gentlemen, petitioned to be heard by counsel against it, which was granted.

* Burnett says, "It was hoped by those† who got this clause added to the bill, that those in Ireland who promoted it most, would now be the less fond of it, when it had such a weight hung to it." *History of his own Times*, 2 vol. 214.

† This was Lord Godolphin's ministry.

After

After the arguments of Sir Theobald Butler, Mr. Malone, and Sir Stephen Rice of counsel for the petitioners both at the bar of the house of lords and commons had been heard and totally disregarded, the petitioners were tauntingly assured, that if they were deprived of the benefit of the articles of Limerick, it was their own faults, since by conforming to the established religion, they would be entitled to these and many other benefits: that therefore they ought not to blame any but themselves: that the passing of that bill into a law was needful for the security of the kingdom at that juncture, and in short, that there was nothing in the articles of Limerick, that should hinder them from passing it.*

Notwithstanding the generally prevailing execration of Popery, and the universal dread both amongst the Whigs and Tories of standing forward in defence or support of the Catholic body in public, it was not to be expected that the Protestant Dissenters should silently submit to be involved in the severity, which substantially and formally was intended by the parliament of Ireland and the cabinet of England to fall upon the Catholics exclusively; they accordingly presented a petition to the commons on the occasion of the above-mentioned clause, which has been usually termed the *Sacramental Test*, complaining, that to their great surprize and disappointment they found a clause inserted in *The Act to prevent the further Growth of Popery*, which had not its rise in that honorable house; whereby they were disabled from executing any public trust for the service of her majesty, the Protestant religion or their country, unless contrary to their consciences, they should receive the Lord's Supper according to the rights and usages of the established Church.† This parliament was disposed to favor the dissenters, in as much as they joined with them in the common cause against the body of Catholics; but

* Debates on the Popery Bill, 2 Ann. It has always been urged by the sufferers under the penal laws passed against the Roman Catholics since the Revolution, that they were made in violation of the public faith as pledged by the articles of Limerick. For the satisfaction therefore of those, who may wish to investigate the question, the arguments of counsel before the commons on the 22d of February, and before the lords on the 28th of February 1703, are given in the Appendix, No. LII. Mr. Arthur Brown, in 1788 one of the representatives for the university of Dublin, published a very warm pamphlet to rebut this charge, which he conceived tended to bring odium on the Protestant interest. It is written in the extreme heat of party.

† This was the clause inserted by the English cabinet, in order to prevent the bill's passing into a law: they foolishly supposing, that the Irish parliament would check their zealous hatred to Popery,

but their horror of Popery outbalanced their tenderness for Presbytery, and they prevailed by fair words with the Dissenters to withdraw their opposition to the bill, on a specious promise, that the clause obnoxious to them should be repealed in their favor. Cruelty and injustice generally go hand in hand. Not only the clause affecting the Dissenters, whose punishment could in no shape check the growth of Popery, was left unrepealed, but during this queen's reign it was frequently carried into the most rigorous execution. In October 1707, the commons came to the resolution, that by The Act to prevent the further Growth of Popery, the burgessees of Belfast were obliged to subscribe the declaration and receive the Sacrament according to the usage of the Church of Ireland: and that the burgesship of the said burgessees of Belfast, who had not subscribed the declaration and received the Sacrament pursuant to the said act was by such neglect become vacant.* It is difficult even at this distant period to trace to its true source, that overbearing principle, under which the Irish Catholics were so severely punished during this reign. The ingratitude of the house of Stuart, to those, who had been the first and the last to fight for them in their distresses, seemed to have communicated its baneful contagion to all its dependents and favorites. In the front of their domestic enemies, the Irish had once more to read the treacherous name of Ormond. The grandson of that Duke, who had so notoriously aggrandized his patrimony by betraying the cause of his king and his countrymen, was sent over by the queen in quality of lord lieutenant. Scarcely had he arrived, when the commons† relying probably on his hereditary propensities to oppress his suffering countrymen, presented to him the Bill to prevent the further Growth of Popery; his grace was pleased to give them his promise, that he would recommend it in the most effectual manner, and do every thing in his power to prevent the growth of Popery. It exceeds the function of the historian to attempt to fathom the sincerity of the actors of those scenes, which it is his duty to represent. This very Duke of Ormond, who in the year 1704 received the warmest thanks of the Irish parliament for having procured for them this barrier to the Protestant religion, (as it was

on account of the injury they might thereby bring upon the Protestant Dissenters. See their petition in the Commons' Journ. 2 vol. 451.

* Vide Commons' Journ. 2 vol. 564, upon the petition of the Dowager Countess of Donegal on behalf of her infant son, the question arose upon a contested election for that Borough, and thereupon the above resolutions were entered into.

† Vide Burnett's History of his own Times, 2 vol. 214.

then

then termed) was in the lapse of some few years convicted of high treason, and a reward of 10000*l.* was put upon his head, for having deserted his Protestant sovereign and adhered to a Popish pretender to the throne. At the opening of this very parliament, the lords agreed “to an address by way of “ thanks to her majesty, for her great care of her subjects of this kingdom in “ sending his Grace the Duke of Ormond lieutenant thereof.”*

No period of the Irish history more strongly illustrates the advantages of an incorporate union between Great Britain and Ireland than the reign of Queen Anne: it verifies to the letter, the trite observation, that if no other benefit were to arise out of it, than the destruction of the Irish parliament and the annihilation of the Irish monopoly of power, it will be the greatest national blessing bestowed on Ireland since the invasion of that country by Henry Plantagenet. The penal laws passed against the Roman Catholics of Ireland under this queen have ever been the theme of murmur and discontent with all the Catholic writers,† and here it appears that they were passed against the wishes and efforts (not very manly) of the British cabinet, by the procurement of the head of the Irish aristocracy and the unanimous vote of an Irish parliament. The Irish history superabounds with anomalies: at the very moment, in which this parliament gave so vital a stab to the real interests and happiness of their country, the lords made open profession of principles and sentiments, which would then have averted that source of wretchedness from their countrymen, and ensured them that political security and happiness, to which the nation may now look forward in the union that has taken place. “ We are sensible, say they, that our preservation is owing to our being united “ to the crown of England, so we are convinced that it would tend to our

* At this time, it has been remarked by Dr. Sommerville (2 vol. page 280) that, “ the extreme “ oppression and misery endured by the Irish cannot be represented in stronger colors, than by the “ bare detail of facts, which appear in the journals of parliament. Multiplied instances occurred “ almost every session of the abuse and perversion of power by magistrates and justices of peace: “ the frauds of contractors and the monstrous cruelties inflicted by officers in the recruiting service, “ which exhibit a complexion of manners little removed from barbarism. See particularly the proceedings of the commons on the complaint and petition of Agmondestham Cuffe against Major Francis Flood, a member of the house of commons, 7th of June 1705, and on the petition of Eustace Sherlock against Maurice and John Annesley, 9th of June.”

† Thus Curry speaks of The Act to prevent the further Growth of Popery, 2 vol. page 234. “ A penal statute, through which there runs such a vein of ingenious cruelty, that it seems to be “ dictated rather by some Prætor of Dioclesian than by a British or Irish nobleman.”

“ further

“ further security and happiness to have a more comprehensive and entire union with that kingdom.” So little however were they disposed to act in unison with her majesty’s English ministers, who were against these penal statutes, that on the 4th of March 1703, the lords in an address to the lord lieutenant assured his grace that it was with great satisfaction they beheld him following the example of his illustrious ancestor, and that they attended his grace to acknowledge and congratulate with him on the good effects of his indefatigable application as well in framing, as in obtaining the return of so many good bills, *but especially for The Bill to prevent the further Growth of Popery.** It appears upon the Lords’ Journals,† within the same year, that in an address to the throne, they assured her majesty of their unshaken fidelity to her person, crown and government: and as they were inseparably annexed to the Imperial crown of England, so were they resolved to oppose all attempts, that *might be made by Scotland* or any other nation whatsoever to divide them from it, or defeat the succession in the Protestant line, as limited by several acts of parliament. The connection of matter, rather than the order of time, points out under what species of influence Ireland has from time to time been oppressed, in order that she may the more distinctly see the end of oppression in her union with Great Britain. Whatever were the symptoms of disaffection or disloyalty in Scotland in the year 1704, to which the address of the lords referred, no history has even charged the Irish with having been directly or indirectly concerned in the rebellions either of 1715 or of 1745. Yet upon the breaking out of the rebellion in Scotland in 1715 the commons of Ireland, in their address to the crown on that occasion, expressed, that it was with the utmost concern they found that this country (Ireland) had given birth to James Duke of Ormond, a person, who in despite of his allegiance and the obligations of repeated oaths, had been one of the chief authors and fomenters of that wicked and unnatural rebellion. No terms can be too strong to express the hypocritical and traitorous conduct of this debased nobleman; and though it be difficult to account for the wanton and malicious cruelty, with which he rivetted the galling yoke of persecu-

* Lords’ Journ. p. 85. Burnett confirms this statement of the lords, “ The commons (says he) offered this bill to the Duke of Ormond, pressing him with more than usual vehemence to intercede so effectually, that it might be returned back under the great seal of England. It came over warmly recommended by the Duke of Ormond.” Hist. 2 vol. page 214.

† Ibid. page 91.

tion on the necks of his unoffending countrymen, yet in spite of his malevolence and depravity he rendered justice to their faith and loyalty by not even attempting to turn the influence of the landlord over a numerous tenantry, or of the governor over the dependants of the castle, to the desperate purpose of shaking the well known and tried loyalty of his countrymen: an honorable, though forced testimony of the steady allegiance of the Irish nation, which through a whole century has not been tarnished by any rebellious attempt against their lawful sovereign, until the late fatal insurrection of 1798, which immediately preceded, and perhaps in great measure contributed to the union.

During the whole reign of Queen Anne the penal laws were executed with unabating severity upon the Irish Catholics, without any other visible cause or charge alleged than their mere profession of the Roman Catholic religion. It was the current, though unwise policy of that day, to consider the Roman Catholics as enemies to the crown and government of the realm. The speech of the Earl of Pembroke, lord lieutenant, to the Irish parliament, in 1706, recommends to them to provide for the security of the realm against their foreign and *domestic* enemies, meaning by the latter—the body of Catholics: for he subjoined, that he was commanded by her majesty to inform them, that her majesty, considering the number of Papists in Ireland, would be glad of an expedient for the strengthening the interest of her Protestant subjects in that kingdom. There is a principle of liberality and wisdom in concentrating the interests of a great people in a common *focus* (and such has produced the late union) which is the loudest condemnation of that false, base, and wicked policy, that pervaded the Irish government under Queen Ann. It was then a fundamental maxim, that Roman Catholics could never coalesce with Protestants of any denomination even in the civil duties of allegiance to a common sovereign: they were considered as avowed and common enemies of the state. Hatred of Popery was the common link, by which they connected interests of the utmost discordance and repugnancy to make head against the *common enemy*. The resistance of so much provocation to rebellion as such a principle when acted upon must have produced, is a marked test of the steady loyalty and peaceful demeanour of the Irish Catholics from the revolution to the accession of his present majesty, under whom they first had the happiness of being considered no longer as enemies.

The House of Peers did not, however, see the same objections to an union which at that time influenced the commons. They had on a former occasion,

viz. on the 25th of October, 1703, after the report of a committee upon the state of the nation, come to the following resolution:* “ That it was the
 “ opinion of that committee, upon due consideration of the present con-
 “ stitution of that kingdom, that such an humble representation be made to
 “ the queen of the state and condition thereof, as might best incline her
 “ majesty by such proper means as to her majesty should seem fit, to promote
 “ such an union with England as might qualify the states of that kingdom
 “ to be represented in the parliament there.” In their address to the queen on the union with Scotland on the 15th of July, 1707,† they congratulated the glorious success of her majesty’s endeavours for securing by her arms abroad the liberties of Europe, and the welfare of her subjects at home, by uniting Great Britain into one body, under the same Protestant succession to the throne of all her dominions: they were sensible how effectual a means that would prove to prevent the attempts of Papists from disturbing the quiet of her majesty’s empire, and particularly of that kingdom, that had been so often endangered by them. They beseeched her majesty to go on and extend her favor to all her subjects, till none were excluded from so great a blessing, but such as by their own forwardness or disaffection to the public good barred themselves from the general advantages of her majesty’s reign: and they expressed their hope, that her majesty’s goodness and wisdom would conquer even those, and make them sensible of their true interest.

‡ From the coldness with which the queen answered these addresses, it is plain, infers Lord Clare, that her ministers would not listen to the proposition of an union with Ireland; and in finding a substitute for it, there was a race of impolicy between the countries. The parliament of England seemed to have considered the permanent debility of Ireland as their best security for her connection with the British crown, and the Irish parliament to have rested the security of the colony upon maintaining a perpetual and impassable barrier against the ancient inhabitants of the country. The executive government was committed nominally to a viceroy, but essentially to lords justices, selected from the principal state officers of the country, who were intrusted with the conduct of what was called the king’s business, but might with more propriety have been called the business of the lords justices. The viceroy came to Ireland for a few months only in two years, and returned

* 2 Journ. of Lords, p. 29.

† Ibid. p. 161.

‡ Speech of Lord Clare, p. 26.

to England perfectly satisfied with his mission, if he did not leave the concerns of the English government worse than he found them: and the lords justices in his absence were entrusted implicitly with the means of consolidating *an Aristocratic influence*, which made them the necessary instruments of the English government.

In the year 1707, the commons voted an address of congratulation to her majesty on the union of her majesty's kingdoms of England and Scotland. They told her, that this great and glorious work, which her ancestors with their utmost endeavours laboured to compass, lay above the reach and wisdom of former times, and seemed reserved, by Heaven, for her majesty's reign: that the difficulty of the attempt required the greatest genius to surmount it, and they could but highly honour and admire the wisdom of those councils, that had by it given a further security to the peace and safety of her majesty's government, the Protestant succession, and the church as by law established in England and Ireland. The reason why these commons did not in this address even hint at a similar union with Ireland, must have arisen from the impossibility of uniting with a kingdom, the bulk of which they actually considered and acted against as a *common enemy*: for on the same day (9 July, 1707) on which they voted the address to the queen, they presented also an address to the Earl of Pembroke, their lieutenant, in which they thankfully acknowledged the benefits they enjoyed in that happy opportunity of meeting, under his excellency's government, to enact such laws as were yet wanting to strengthen the Protestant interest of that kingdom. And they assured his excellency, that they were met with firm resolutions to improve that opportunity to the utmost of their power, to disappoint the designs of those who endeavoured to give advantage to *their common enemy*, by creating misunderstandings amongst Protestants.*

When the Earl of Wharton prorogued the parliament on the 30th of March, 1709, he told them, †that he made no question, but that they understood too well the true interest of the Protestant religion in that kingdom, not to endeavour to make all such Protestants as easy as they could, who were willing to contribute what they could to defend the whole *against the common enemy*. It was not the law then passed,‡ nor any law that the wit of

* 2 Com. Journ. p. 494.

† 2 Journ. Lords, p. 316.

‡ An Act for explaining and amending an Act intituled An Act to prevent the further Growth of Popery.

man could frame, would secure them against Popery, whilst they continued divided amongst themselves. It being demonstrable, that unless there be a firm friendship and confidence amongst the Protestants of that kingdom, it was impossible for them either to be happy or to be safe. And he was directed to declare to them, as her majesty's fixed resolution, that as her majesty would always maintain and support the church as by law established, so it was her royal will and intention, that the Dissenters should not be persecuted nor molested in the exercise of their religion. The Dissenters were originally displeased and had petitioned against the clause for the sacramental test; and now the act, in which it was introduced, having been explained and amended without any attention to their interest, the lord lieutenant* substituted fair promises and specious words for that substantial relief, which either the power or the will was wanting to procure for them. The marked contrast in the lord lieutenant's speech between the favorable disposition of government towards the Protestant Dissenters and their austerity towards the Roman Catholics, flattered the Dissenters;† and the lord lieutenant had the address to

* Thomas, Earl of Wharton was a man of notorious profligacy, but of great address, and no inconsiderable share of talent. The likeness of his portrait, left us by Swift, has never been questioned, though considered by some as too strongly tinged with party prejudice. It was however taken from life, and with the advantage of personal intimacy. "He had imbibed his father's principles in government (he was a rigid Presbyterian), but dropt his religion, and took up no other in its stead: excepting that circumstance, he is a firm Presbyterian. He contracted such large debts, that his brethren were forced, out of mere justice, to leave Ireland at his mercy, where he had only time to set himself right. He is very useful in parliament, being a ready speaker, and content to employ his gift upon such occasions, where those who conceive they have any remainder of reputation or modesty are ashamed to appear." *History of the Four last Years of Queen Ann.*

† What Dr. Sommerville said of the English Dissenters not opposing the English Test Act in 1673, will be found pointedly applicable to the conduct of their Irish brethren upon the introduction of the Sacramental Test in 1709. "This concession of the Protestant Dissenters has been often applauded by their friends, as a singular example of prudence and generosity; because they sacrificed their rights and resentments to the dread of impending Popery, and the security of the reformed religion. Their conduct upon this occasion, whether examined by the rules of probity, or the dictates of enlightened charity, will be found deserving of explicit and marked expressions of condemnation. Professing to guard against Popery, did not the Dissenters act under the influence of its worst principles? Did they not abandon their rights, as men and as Christians? Rights, the renunciation of which, for a single day, no fear of danger, nor prospect of future peace, can justify at the tribunal of conscience. The event of Providence has instructed

to keep them quiet, in the delusive expectation of being eased of this galling restriction in a future session, when it might be done with less umbrage to the numerous body of Roman Catholics. The cordial sympathy of this House of Commons, with their profligate governor,* is one melancholy illustration, amongst many, of the estrangement of the Irish parliament from the welfare of the Irish people. On the 26th of August, 1709, the commons presented a most obsequious address to the lord lieutenant, in which they assured him, "that they gratefully acknowledged her majesty's more particular care of them in appointing his excellency their chief governor, whose equal and impartial administration gave them just reason to hope, and earnestly wish his long continuance in the government.†"

The reign of Queen Ann was a chequered scene of political variance, according to the predominancy of the favorite party. It established also a most important, though a much unheeded principle of observation, which the impartial investigator of the Irish annals cannot lose sight of. The numerical body of the people having been effectually excluded from taking an active part in the affairs of the nation, every important or embarrassing question, that has arisen between Great Britain and Ireland, affecting the political situation of the two nations from the Revolution to the accession of his present majesty, has been as completely cleared and debarassed of any interference, interest, or influence of the body of Irish Roman Catholics, as if they had no actual existence. All national differences, complaints, and grievances

"instructed us, by this, and every similar experiment, to reprobate the imprudence, as well as the immorality of the maxim, that it is lawful to do evil when good may be obtained by it. A bill brought in for the relief of the Protestant Dissenters, as the reward of their consent to the Test Act, was defeated by the disagreement of the two houses, and the adjournment of parliament. And thus the temporizing spirit of the Dissenters transmitted bondage to their posterity, which the liberality of the age in which we live never could have imposed; but from which even that liberality is not adequate to emancipate them, while it is counteracted by religious bigotry, and the timid policy of those who dispense the favours of government." *1 Somerville, p. 24.*

* Dean Swift, even before the death of this nobleman, said of him: "He has sunk his fortune by endeavouring to ruin one kingdom, and hath raised it by going far in the ruin of another. His administration of Ireland was looked upon as a sufficient ground to impeach him at least for high crimes and misdemeanors; yet he has gained by the government of that kingdom under two years 45000*l.* by the most favorable computation, half in the regular way, and half in the prudential."

† 2 Comm. Journ. p. 691.

have

have been from Protestants to Protestants. The peculiar grievances of that body never reached the ear or touched the heart of their sovereign, till the fostering dawn of protection opened upon them from the parental sympathies of his present majesty. It is a political paradox, though an historical truth, that in the agitation of every national question during the last century, the sense, the interest, or the influence of the majority of the nation, have not thrown the weight of a scruple into the scales.

The prevalence of the Tory party in the last four years of Queen Ann, lets in the broadest day-light upon the real grounds of alarm and insecurity, which the English cabinet entertained for the fate of Ireland. They viewed the increasing influence of the Presbyterians with such dread and jealousy, that on the 7th of November, 1711, the lords spiritual and temporal presented an address to her majesty, in which they first complained of the Earl of Wharton's having abused her majesty's name, in ordering *nolle prosequi* to stop proceedings against one Fleming, and others, for disturbing the peace of the town of Drogheda, by setting up a meeting-house, where there had been none for the last twenty-eight years. They represented to her majesty, that those unjust complainers of persecution, whilst themselves enjoyed ease and security, had exercised great severities towards their conforming neighbours, by denying them common offices of humanity, and by threatening and actually ruining several, who, in compliance with their conscience, had left their sect. They complained that the Episcopal order had been by them stiled *anti-scriptural*, the holy and religious worship of the established church called *superstitious* and *idolatrous*, and that the legislature itself had been censured by a bold author of theirs, who had published, in print, "*that the Sacramental Test is only an engine to advance a state faction and to debase religion to serve mean and unworthy purposes.*" They represented, that amidst repeated provocations, they had been still easy, and had endeavoured by gentle usage to melt them down into a more soft and complying temper; but that all their attempts had proved unsuccessful: that they had returned evil for good; that forbearance had increased their rage and obstinacy; and that the Northern Presbyteries had, in their zeal for proselytism, sent missionaries into several parts of the kingdom, where they had no call nor any congregations to support them: that by the abuse of the allowance of 1200*l.* per annum, (granted to them by her majesty for charitable purposes and other means) schism, which had formerly been confined to the North, had

had then spread itself into many parts of that kingdom. So that they should not be just in their duty to their sovereign or country, if they did not acquaint her majesty with the danger they apprehended from those great advances which *Presbytery and Fanaticism* had made, which if not checked, they doubted not, would in time end in the destruction of the constitution both in church and state. They submitted therefore to her majesty's wisdom whether it were not proper to put a stop to those growing evils, by withdrawing from them her majesty's bounty of 1200*l.* per annum. This address fully accounts for the introduction and the non-repeal of the Sacramental Test, notwithstanding the strong partiality and bias of the commons, the Lord Lieutenant Wharton, and other leading Whig characters for the Protestant Dissenters of that day. It is not to be imagined, that these sentiments, which were now under the new ministry publicly avowed, had not long influenced the spirit and disposition of the British government. Insincerity and timidity are generally inseparable. The Queen herself, as well as many who had been in favor and power at Court, professed Whig principles more from policy and interest, than from conviction and inclination. Their public profession of Whiggism bound them to the interest of the commoners and the Protestant Dissenters in Ireland, on account of their determined opposition to Popery, which motive alone was sufficient to sanctify the most cruel, or justify the neglect of the most important and necessary measures. When the real spirit of Toryism had acquired the transcendancy, by overturning the Whig administration, the reserve was thrown off, and the prevailing party expressed their real sentiments in strong and unequivocal language. Although the Tories commanded a decided majority in the peers, yet the Whigs still retained a small majority in the commons. Hence those parliamentary differences, so virulently referred to in the lords address to the queen, on the 9th of November, 1711*. They alleged, that sincere veneration for her majesty's royal person and prerogative, and the tender regard they had for the peace and tranquillity of the kingdom, could alone prevail on them thus long to forget the high indignities offered to their house by the commons, and to submit their private injuries to her majesty's more public concerns, lest by their just resentment of their behaviour, when so industriously provoked, her majesty's affairs might be obstructed, and by those means the

* 2 Lords Journ. p. 415.

malicious designs of evil-minded men rendered effectual. They complained, that the commons had used them in a manner wholly unknown to former parliaments, and had addressed them in language more indecent, more opprobrious, than was given by another House of Commons, at a time when they voted the House of Lords useless. That however her majesty might justly approve the conduct of the College of Dublin in the late Revolution, still did they humbly conceive, that her majesty did not extend her bounty to them, to promote (in general) *revolution principles*. Principles, which as explained by the pamphlets and libels publicly avowed and celebrated by men of *factionous and seditious tempers*, and particularly in a sermon preached on the 30th of January, dedicated to that very House of Commons, without censure or animadversion, did in a great measure maintain and justify the execrable murder of King Charles the First, and on which might be founded any rebellion against her majesty and her successors. They insisted upon their right of construing the words and terms used by the commons in their address, viz. That the commons having in their vote mentioned the steady adherence of the provost and fellows of the College to the late Revolution, as one consideration of their application for the 5000*l.* since granted by her majesty, the subsequent motive mentioned in that vote, viz. for the encouragement of sound revolution principles, could not in good reason or grammar be referred to the late Revolution; since adherence to the late Revolution was a distinct motive of itself. And it is the known nature of principles, to be as well the rule and guide of future as of past actions. They disclaimed every intention of misrepresenting the commons to her majesty for their own actions: they were to be judged by God and her majesty. But for themselves, they did most solemnly assure her majesty, they were heartily thankful to Almighty God for the late happy Revolution, acknowledging the necessity and justice of it: and that they would, at the utmost hazard and expence of their lives and fortunes, defend, support, and maintain her majesty's sacred person and government, her just prerogative in the choice of her ministers, the church of Ireland as by law established, and the succession of the crown in the illustrious House of Hanover, against the Pretender, and all those *who design revolutions* either in church or state, against all her majesty's enemies abroad, and against all Papists, Jacobites, and *Republicans* at home.* This address of the lords is an indisputable document

* 2 Lords Journ. p. 414, 415.

of the truth of several important facts, which no historian has fairly retailed; but which appear supereminently necessary to be noticed in the development of the remote as well as the proximate causes, which in their time and order have contributed to bring about the grand settlement of the kingdom of Ireland by its incorporate Union with Great Britain.

That Protestant ascendancy, which the policy of James I. had forced into existence, in order to make head against the Catholics, who then indisputably composed the country or natural party in that kingdom, and which had under his successor been strengthened and encouraged, particularly by Strafford and Ormond, with the same view of bearing down the Catholics as a common enemy, was generally infected with the Puritanical fanaticism of that day: the real concomitant of which was an antibasilican spirit, that soon after demonstrated itself in the subversion of the constitution. Both those monarchs would, from their natural disposition, have effectually crushed that party at home, though they consented to use them as the instruments of opposing the Catholics in a distant kingdom, who were then, from their property as well as numbers, the great bulk and natural interest of the Irish nation. This factitious power finding their strength in their ascendancy over the Catholics, soon seized the opportunity of availing themselves of their success, and were amongst the most forward and violent in opposing the regal power of Charles, whilst they continued for some years to disguise their disloyalty to the throne, under the imposing veil of zeal for the altar. A forward and active hatred of Popery gave claims in Ireland, which not only commanded favor, but absolved from punishment. In the days of Charles the First, this spirit anticipated the breaking out of Cromwell's rebellion; in the days of Charles the Second, it survived the restoration of monarchy; under Charles the Second, under William and Mary, under Ann, were remunerations voted by parliament to the descendants of Cromwellian rebels, for the forward zeal and services of their ancestors in that cause. In the year 1800, the Earl of Clare declared in the House of Peers, that it would have been an act of gross injustice on the part of Charles the Second to have overlooked the interests of Cromwell's soldiers and adventurers, as the complete reduction of the Irish rebels by Cromwell redounded essentially to the advantage of the British empire. The true constitutional Whig principles, upon which the Revolution in 1688 had been effected, gave to this party in Ireland a fresh opportunity of working up the old republican
F F leaven,

leaven, that had never quitted them under the plausible appellation of Whigs. This actuated the commons to propose the several penal laws against the Catholics under Ann; this intimidated her Whig ministers into compliance even against the wisdom, policy, and wishes of the court. So popular a cry was the reduction of Popery, that no ministry had hitherto ventured openly to oppose it, however cruel or ill-seasoned were the measures proposed for effectuating it. From this declaration of the lords it is to be collected, that the Whig majority in the commons were chiefly the relics of the old Protestant ascendancy, which had imbibed and retained those principles of revolutionary republicanism, of which the lords address, echoing the voice of the British ministry, so loudly complained. It was no new or sudden grievance, but an old standing evil, which had been long forely felt and timidly tolerated. And now that the primitive fervor and confidence of the new ministry had produced this open and unequivocal attack upon the Whig party, they dared not do it, without tempering their declaration with professions of their own zeal against Popery, although no complaint or charge had been laid against the Catholics by their keenest enemy. Certain it is, that from the encouragement given to the Oliverian party in Ireland, and other obvious causes, the republican spirit of that day had taken such deep root in their descendants, that created the alarm and dread now first avowed in this address of the lords to the queen. All extremes are vicious: the perfection of the British constitution consists in the reciprocal checks upon the different powers from running into opposite extremes. The true Whig principles are the legitimate offspring of the British constitution; they prevent as effectually the pruriency of Democracy, as they defeat the despotism of absolute monarchy.*

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* From the peculiar situation of Ireland, the attention of the Irish Protestants hitherto had been generally confined to the exclusive object of acquiring and preserving an ascendancy over the Catholic interest. The Earl of Clarendon, who was himself a keen partizan, was the first who introduced any party distinction amongst the Protestants of Ireland. During his short government of Ireland in 1685, he evinced his zeal for his master's service by endeavouring to split the Protestants into *Whigs* and *Tories*, in order to supply his own want of co-operation with the king's wishes to forward the cause of Popery, from which he was by principle most averse. Both Clarendon, and his brother the Earl of Rochester, who was appointed lord lieutenant in the year 1701, and several of the high church clergy, whom they had promoted in Ireland, were inflexible in their convictions, that the generality of those who called themselves Whigs in Ireland, were strongly

The party in the House of Commons, which still maintained its majority against the Tory administration, was supported by all the influence of the Dissenters:* and it cannot be denied, that they pushed the Whig principles to an excess wholly irreconcilable with the constitutional doctrines of civil liberty. The spirit of party became every day more violent: yet all the political differences, which then distracted the kingdom, existed between Protestant and Protestant. Whatever excesses either party gave into, were nevertheless either palliated or sanctioned by some fresh obloquy or severity thrown upon the Catholics. The Duke of Shrewsbury, though a Tory in principle, was induced through policy to espouse the cause of the Whigs, and as converts are generally prominently severe to the party they have abandoned, his Grace was no way suspected of favoring the Catholics, whose religion he had renounced. He was unusually splendid in celebrating the anniversary of King William, and vehement in promoting the Protestant succession. By a dissolution of parliament, the ministry hoped to gain a majority in the commons, as they had secured it in the lords: but on the return, the Whigs still retained a small majority. This they availed themselves of, by voting a most severe address† to the queen upon Sir Constantine Phipps,‡ the chancellor,

strongly impregnated with the factious spirit of 1649; and upon this principle they were anxious to subdivide the Protestants into parties, in order to discriminate their own party from the real enemies to the crown, who still retained so much of the leaven of the interregnum: for hitherto *Protestant* and *Whig* had continued to be considered as synonymous in Ireland. And no Whig in that country had till that time signalized himself by the avowal of any constitutional principle whatever.

* Far be it from me to insinuate that this deviation from the strict line of constitutional conduct was in any manner caused by religious doctrine or persuasion. In every Christian country, different denominations of Christians have at times swerved from, as well as observed, their civil duties. Presbyterians have evinced as firm loyalty to monarchs, as Catholics have to republics. Every society of Christians lay claim to the purest and closest adherence to Evangelical perfection; and they all hold the system of Christianity practicable under every lawful form of government. Bigotry, ignorance, or malice can alone consider the practice of any religious society incompatible with the British constitution.

† 2 Journ. Comm. p. 770.

‡ The private demeanour and official conduct of Sir Constantine Phipps confirmed all the unfavorable prepossessions against him, which the Whigs in Ireland had conceived from his zeal and activity in defence of Dr. Sacheverel. He associated only with Tories and churchmen, and was entertained by the nobility and gentlemen of that description with the most magnificent hospitality:

cellor, who had distinguished himself in the Tory party by his intimacy with the famous Dr. Sacheverell, whose trial had afforded a notable triumph to the Whigs in England. The queen's answer to another address of the commons, dated from Windsor on the 13th of December, 1713, shewed how little congenial with the dispositions of the court these efforts of the commons were. She told them, that *the best way of preserving their religious and civil rights, and securing the Protestant succession, as well as the best proof they could give of their real concern for them, was to proceed with unanimity and temper in supplying the necessary occasions of the government, and in establishing peace at home, by discountenancing *the restless endeavours of those factious spirits* who attempted to sow jealousies, and raise groundless fears in the minds of her people.

These facts, which appear upon the face of the parliamentary records of Ireland, incontestibly prove, that none of the complaints or charges of disaffection, sedition, turbulence, disloyalty, or civil and political licentiousness of any species during this queen's reign fell upon the great body of the Irish people, but arose from the conduct of that Protestant part of the nation, which retained the leaven of the interregnum, and which was too powerful and too determined to be awed or openly opposed by the British cabinet. Hence the disgraceful subterfuge, which Bishop Burnet assures us, the ministry

pitality : he received the congratulations and thanks of the clergy as the patron of their order, and the champion of the rights of the church. Under the auspices of such a judge, every legal check upon the licentiousness of the party which he patronised was suspended. The most malignant attacks upon the Dissenters daily issued from the press, and even those publications, which had been condemned in England for their seditious tendency, were reprinted and dispersed without any reprehension from the Irish ministers. Mr. Higgins, a clergyman, who had been put out of the commission of the peace by the late Chancellor Coxe, on account of his indecent and turbulent behaviour, was now restored to his seat by Sir Constantine Phipps. On the very day of resuming his authority, he gave such offence to his colleagues by his insolent and unguarded expressions, that he was presented by the grand jury of the county of Dublin, as a fower of sedition and groundless jealousies among her majesty's Protestant subjects; but he was acquitted by the lord lieutenant and privy council, to the great joy of the high church party. (*Annals Ann*, p. 192-3.)

Mr. Higgins had been a co-adjutor of Dr. Sacheverell in England; and rivalled him in the vehemence with which he declaimed upon the danger of the church, and the treachery of the ministers. (*Cunningham*, vol. ii. p. 275.) He was the author of several severe tracts against the Dissenters, and was supposed to have drawn up a narrative concerning the conspiracy of the Protestants in Westmeath, which contained reflections injurious to all the Whig gentlemen in Ireland.

* 2 Journ. Comm. p. 771.

was driven to, in order to cause the miscarriage of the Popery bill, by sharpening its severity against the promoters of it, fearing to offend that party by opposing the cruelties, which they were imposing on the Catholics, although conscious that the measure was neither wise, politic, nor just.

In so much diffidence and contempt did the British parliament hold that of Ireland during this queen's reign, that in every matter, which was considered to be of importance to the British empire, they expressly legislated for Ireland, as if Ireland had no parliament of her own. Thus did the British legislature direct the sale of the estates of Irish rebels, and disqualify Catholics from purchasing them; thus did it avoid leases made to Papists; thus augment small vicarages, and confirm grants made to the archbishop of Dublin: it permitted Ireland to export linen to the plantations; prohibited the importation of that commodity from Scotland; and appointed the town of New Ross, in the county of Wexford, as the port for exporting wool from Ireland to England. In the Schism Act, which Sir William Wyndham brought into the House of Commons in England, in the year 1714, the interference of the British legislature with Ireland was the most remarkable. This bill, which was aimed by the Tory party at the total suppression of the Dissenters, was warmly opposed by the Whigs in both houses. Into that bill the following clause was introduced: that "where
" law is the same, the remedy and means for enforcing the execution of the
" law should be the same; be it therefore enacted, by the authority afore-
" said, that all and every the remedies, provisions, and clauses, in and by
" this act given, made, and enacted, shall extend, and be deemed, construed,
" and adjudged to extend to Ireland, in as full and effectual manner as if
" Ireland had been expressly named and mentioned in all and every the
" clauses of this act." Considering the intolerant quality of the Act, it was the policy of the Tory administration to introduce it with as few objectionable clauses as possible, expecting naturally a warm opposition to it. It was chiefly opposed on the third reading, in which opposition Sir Joseph Jekill was prominently forward; he insisted, that it tended to raise as great a persecution against their Protestant brethren, as the primitive Christians ever suffered from the Heathen emperors, particularly Julian the apostate.* It passed the commons by a majority of 237 voices against 126, without the

* Chand. Deb. 5 vol. p. 135.

clause affecting Ireland: this was proposed by the Earl of Anglesea, when the bill was in the committee of the lords, which, after some debate, was carried in the affirmative by the majority of one voice only. *Several severe speeches were made in the House of Lords against the clause extending the bill to Ireland; particularly by the Duke of Shrewsbury, who had returned on the very day of the debate from Ireland. The clause was, however, carried by 57 votes against 51; and on the next day the bill was carried by a majority of 5 votes, viz. of 77 against 72.† A very strong protest was entered by thirty-four of the leading Whig party, the last part of which relates to Ireland: "The miseries (said they) we apprehend here, are greatly enhanced by extending this bill to Ireland, where the consequences of it may be fatal: for since the number of Papists in that kingdom far exceeds the Protestants of all denominations together, and that the Dissenters are to be treated as enemies, or at least as persons dangerous to that church and state, who have always in all times joined and still would join with the members of that church against their common enemy of their religion; and since the army there is very much reduced, the Protestants thus unnecessarily divided seem to us to be exposed to the danger of another massacre, and the Protestant religion in danger of being extirpated."‡ It must be presumed, that the ministers of that day

* Deb. Lords, 2 vol. p. 428.

† The minister commanded a much larger majority in the commons than in the lords. It was for this reason that the queen was advised to call twelve lords up to the House of Peers, who were in derision called by the opposite party the college of the twelve apostles. "It was upon these motives (said Swift, *Hist. p. 44,*) that the treasurer advised her majesty to create twelve new lords, and thereby disabate the sting of faction for the rest of her life time: this promotion was so ordered, that a third part were of those on whom, or their posterity, the peerage would naturally devolve; and the rest were such whose merit, birth, and fortune could admit of no exception." In the reasons *pro* and *con* given by Swift, we clearly see the opposite spirits of the politicians of that day: the Whigs complained of the ill example set to wicked princes, who might as well create one hundred as twelve peers, which would ensure the command of the House of Lords, and thus endanger our liberties. The Tories insisted, that in our constitution the prince holding the balance of power between the nobility and people, ought to be able to remove from one scale into the other, so as to bring both to an equilibrium: and that the Whigs had been for above twenty years corrupting the nobility with republican principles, which nothing but the royal prerogative could hinder from overspreading us.

‡ Deb. Lords, 3 vol. p. 430. The whole protest containing strong reasons against intolerance is given in the Appendix, No. LIII.

were

were as anxious, that this bill against the Dissenters should be extended to Ireland, as they were certain, that a similar bill would not have passed the Irish parliament. Such were the forced means resorted to by the ministry of that day, to effectuate their intentions upon Ireland respecting the Dissenters. What the opinion and disposition of the court then were as to the Irish Dissenters, is manifest from the language of Mr. Bromley, principal secretary of state, on the third reading of the Schism Bill: he said, “the Dissenters were equally dangerous both to church and state; and if the members who spoke in their behalf would have this bill drop, he would readily consent to it, provided another bill were brought in to incapacitate them either to sit in that house, or to vote in elections of members of parliament.”* The collision of the opposite parties in parliament was at that time extremely violent. The Whigs charged the Tories and the whole court party with an intent to break through the order of the Protestant succession, in favor of the Pretender; to these views they attributed every measure as to the grand object of all their wishes, and all their intrigues. On the other hand the Tories complained of the factious opposition of the Whigs; and the most sensible of their advocates† has declared, that “the designs of that aspiring party at that time were not otherwise to be compassed, than by undertaking any thing that would humble and mortify the church.” Some time previous to the passing of the Schism Bill, the minister had acquired in the commons a very large accession of strength from a set of members, who, under the stile of the *October Club*, had formed themselves into a body with a view to revive a new country party in parliament, which might, as in former times, oppose the court in any proceedings they should dislike. The whole body consisted of about 200, and they unexceptionably professed what are commonly called *high church* principles, upon which account they were irreconcilable enemies to the late ministry, and all its adherents; and the grand object of their meetings, was to devise

* Chand. Deb. 5 vol. p. 135.

† Swift's History of the Four last Years of the Queen, p. 250. This was said on the occasion of the lords having passed the bill for continuing The Act to enable Quakers to make Affirmation in lieu of Oaths (surely a reasonable one, and the law now is so), which the commons would not permit to be read even a first time. About this time, Swift shewed a zeal against the Whigs, by publishing *The Public Spirit of the Whigs*, and his Preface to the Introduction of Dr. Burnet to the History of the Reformation.

methods to spur on those in power to make quicker dispatch in removing all the *Whig leaven* from the employments they still possessed.

In Ireland, the number of those, who took an active interest in the political events of the day, was incomparably smaller, than in England, but their violence was proportionably greater. All the efforts of the British cabinet were unable to reduce the ascendancy of the old Protestant interest in the commons: it became a trial of strength between the two houses. The influence of the crown preponderated in the lords of Ireland, as it did in the commons of England. The commons presented an address to her majesty, humbly beseeching her to remove the chancellor, Sir Constantine Phipps,* from his place, for the peace and safety of her Protestant subjects: the lords on the other hand, made a warm representation to the queen in favour of the chancellor: they entered minutely into the charges preferred against him, and assured her majesty, that they were strengthened in their opinion of his having acquitted himself with honour and integrity, from the further enquiries they had since made, and they concluded with

* More of the true spirit of the times is often to be collected from pamphlets and fugitive pieces of the day, than from the best histories written at a period distant from the events which they record. A book called *State Anatomy*, was published in Dublin soon after the accession, which thus speaks of Sir Constantine Phipps (p. 51): “No sooner did he appear in that kingdom, but his levee was
“crouded with Papists and dispensation converts, whose cloven foot was seen by the venom they
“used to spit against Whigs and Dissenters: but every one who made his court to Phipps, would
“previously shew his zeal by treating the Whigs as ignominiously, as formerly under Talbot: nor
“would Sir Constantine employ a man of them, no not in ordinary work: accordingly he brought
“those new converts into all business, places, and preferments, receiving the most secret infor-
“mations from priests and friars, who were likely to do wondrous service to the English interest.
“By the assistance of that trusty bull beef priest *Higgins*, he laboured to divide the Protestants:
“introducing the distinction of *high and low church* unknown there before: and it must be
“owned, that they made some progress in this villainous design, which with the Earl of Rochester’s
“introducing the *Sacramental Test* considerably weakened our present king’s interest. He stifled
“and discouraged all informations against the insolent practice of Papists, whom he was ever
“backward to disarm, though strictly required to do it after the queen’s death. He granted *Noli*
“*prosequi* for writers on behalf of the pretender, and favoured all he could, those, who treasonably
“lifted soldiers for him. The Archbishop of Armagh (Lindsay who was primate from 1713 to
“1724) promoted for this very purpose to that see, was his chief abettor. This prelate not very
“nice in other matters, and much better acquainted with the mothers than the fathers, would not
“be concerned in blood forsooth, refusing to sign the order for the execution of the lifted and
“enlisters for the pretender. This behaviour of Churchmen gave rise to another toast: *To the*
“*prosperity of the Church in spite of the Clergy.*”

strong

strong assurances of unanimity and temper in the dispatch of public business, and in establishing the peace of that kingdom, by discountenancing the restless endeavours of those *factious spirits*, who attempted to sow jealousies and raise groundless fears in the minds of her majesty's people. The queen's answer to the address of the commons was a mere echo of the address of the lords, which plainly shewed how strongly her majesty sided with the latter against the former. Both houses of convocation warmly espoused the cause of the chancellor: they wished her majesty might never want a servant of equal courage, uprightness, and abilities, and that church and nation never be without such a friend for the suppression of vice, schism, and faction, and for the support of the royal prerogative as well as the rights and liberties of the subject. The lords had also presented an address to the queen, to justify and clear the chancellor of the reproaches and calumnies of one Nuttal, who had traduced him as having been a promoter of the dissensions, that had lately happened in that kingdom: to which her majesty answered, that she had always looked upon the lord chancellor as a faithful servant to the crown, a true lover of the constitution in church and state, and was therefore extremely pleased to find, that the lords concurred in the same opinion of him.

Many circumstances concur to prove, that the queen herself was indisposed to the Hanover succession, and that the great object of her last ministry was to reconcile the nation to a favourable reception of her brother. The Whigs were indefatigable in thwarting those efforts, which the ministers never dared to avow or openly to make. The queen was personally indecisive, and wanted firmness to carry any important resolution into effect. Whatever harsh measures were forced upon her by the Whigs, such as the attainder of her brother, the proclamation for a reward of 50,000*l.* for apprehending him, and the several proclamations and declarations in support of the Hanover succession, are reported to have preyed strongly upon her mind;* as did also the

* The secret intentions and views of the last ministry of Queen Ann have never been hitherto clearly laid open. The whole transaction however of the Duke of Cambridge's obtaining his writ of summons to parliament, loudly speaks the disinclination of the queen to that favourite measure of the zealots for the Hanover succession. It was not in fact flattering to the feelings of the queen, that a prince of the house of Hanover should be provided with a house, revenue, and proper officers in England, and enjoy a seat in the British senate; where his influence with those, who

the failure of Leslie's mission, who was sent over to Lorrain to convert him to the Protestant faith: as it was well understood, that the horror of Popery was

were ever ready to adore the rising sun, might powerfully resist the interest of the crown. This, it was urged by the queen's friends, was setting her coffin before her eyes. The duke had sent over the following petition to the queen.

The Humble Petition of George Augustus Duke of Cambridge,

SHEWETH,

That your majesty having of your great goodness created your petitioner a duke and peer of Great Britain, and it being the constitution, that every peer hath a right and privilege to sit and vote in parliament, your petitioner humbly prays your majesty to grant him his writ of summons to call him to sit and vote in the present parliament.

This petition was signed on the 17th of March, 1713—4, and on the 11th of the following April, Baron Schutz, envoy extraordinary from the court of Hanover, convened a meeting of the most zealous Whigs, lords, and gentlemen at Lord Halifax's house in Westminster; where it was artfully concerted, that the baron should not present the petition to the queen, apprehending that her majesty might have denied the writ, or delayed or eluded the petitioner: and therefore they advised the baron to apply to the Lord Chancellor Harcourt, and demand of him the writ of summons, as being the proper officer to cause the same to be made out, and delivered: for which proceeding, this reason was then given; that if the lord chancellor refused to deliver the writ, the House of Lords, then sitting, had a jurisdiction and power, to enquire into, and immediately censure the denial, and to order the writ to be made out and delivered. But the sudden transport and joy of those lords so convened caused them to forget, that Baron Schutz might have done both, viz. if the queen were averse, he might immediately resort to the lord chancellor, and make the demand.

However, the lords advised the baron to keep his orders strictly secret, and appear at court the next day, when the lords were to wait on, and present to the queen their address about the proclamation, and the removing the Pretender out of Lorrain; and to apply himself to the lord chancellor, (as in private and in a corner) and acquaint him, that he (the baron) had a message to his lordship from Hanover, and that he desired an hour, when he should wait on, and deliver it to him.

The lord chancellor told the baron, he should be proud to receive any message from his court; and appointed that very afternoon, between five and six, to receive it at his house in Lincoln's Inn Fields.

When the baron came, and (after some compliments) told his lordship, that he, by order of his highness the Duke of Cambridge, did request his lordship, to make out, and deliver to him the writ for the duke; the lord chancellor was at first much surprised: but after a short pause, he asked the baron, whether the matter had been opened to the queen; To which the baron answering, no: his lordship said, this demand is of such importance that I can do nothing in it, till I have the queen's directions; and I will forthwith acquaint her majesty with it: but laying his hand on the baron's shoulder, desired him to remember he did not refuse the writ: to which the baron smartly replied, and desired his lordship to remember, he had requested of him the writ for the Duke of Cambridge.

A cabinet

was the only objection which a great part of the nation had to his being called to succeed his sister. Circumstanced however as the Pretender was, his

A cabinet council was instantly called, and sat that evening from nine of the clock till after eleven; where the queen being present, had the disappointment to find her ministers so little firm to their former professions, as to endeavour to persuade her majesty, that the writ could not be denied (they may have hinted that the promises of France did not yet justify the refusal). This defection had such an accidental and unexpected influence upon her majesty's person, as subjected her to an infirmity, that could not be removed, for at the end of three months and nineteen days she demised, but upon the minister's shrinking, the writ was ordered to be made out, and was delivered to Baron Schutz on Saturday the 17th of April, 1714.

This demand being the next day (Tuesday) whispered in the court of requests, cast a damp on the court party, which they could not dissemble.

The ministers had the vexation to see, on the four last days, viz. Wednesday, Thursday, Friday, and Saturday, the street called Pall Mall, crowded with a vast concourse of coaches, and multitudes of people to congratulate Baron Schutz, and Monf. Koninberg (at whose house the baron lodged) upon the demand of the writ, and the hopes of the speedy arrival of the Duke of Cambridge: that although the writ was at the end of five days, viz. on Saturday the 17th of June, 1714, delivered to Baron Schutz, yet the queen in her anger to see the people so generally run to worship the rising sun, caused Baron Schutz, on the next day, being Sunday the 18th of April, 1714, to be forbidden the court, and injunctions to be laid on all her ministers, not to have any intercourse or correspondence with him: and the ministers gave out this pretence for that outrage, viz. because the baron had demanded the writ of the lord chancellor, without having first acquainted her majesty with his orders, and applying to her for it.

It appears probable, that the ministers applied at this time to France for assistance, and received an agreeable answer: but at that time the French king was engaged to attend the negotiations at Raftadt, in regard the peace with the Emperor was not yet concluded. But the urgency of the case was, that if the Duke of Cambridge, should forthwith land, as he might, and as the people expected, the ministers measures would be first intirely disconcerted, and then the French assistance would come unseasonably. The ministers, in order to remove their fears, and to obviate the disappointment, on the 19th of May, 1714, being within one month after Baron Schutz was forbidden the court, in the queen's name, sent three letters to Hanover, all signed with her majesty's own hand.

One of these letters was directed to Her Royal Highness the Princess Sophia, in which the queen declared, "that disaffected persons had entered into measures, to fix a prince of her highness's blood in her majesty's dominions, even whilst she was living, that she (the queen) for her part, never thought such a project could have entered into her highness's mind; but now she perceived, her electoral highness was come into that sentiment: and therefore she (the queen) declared, that such a proceeding would infallibly endanger the succession itself."

Another of these letters was directed to His Highness the Elector of Brunswick; and in that it was declared, "that if his electoral highness's son (the Duke of Cambridge) presumed to come within the queen's estate (i. e. her dominions), she would oppose him with all her power."

his cause was abetted by many in England, and recruiting for his service had become so public and general, that Lord Bolingbroke brought in a bill, which afterwards passed into a law, that made it high treason to be enlisted for any foreign prince: a caution which was not at this time found necessary to be had in Ireland, notwithstanding the inordinate propensity of the Irish parliament to harass and oppress the Catholics with penal statutes. Now for the first time their loyalty was above suspicion: and a Stuart passed by an opportunity of punishing them. The queen died on the 1st of August, 1714.

And the third letter was directed to the Electoral Prince (then Duke of Cambridge), and therein it was declared to him, "that his design of coming into her majesty's kingdom, ought to be first opened to her, and to have had her permission; and that therefore nothing could be more dangerous to the right of succession in his line, than such a proceeding." From the complexion of these transactions it will be readily admitted, that the queen must have been disgusted with the indelicate and compulsory means used by the Whigs of that day, to ensure the Hanover succession during her life: the workings of nature on behalf of her brother, upon whose head she was forced by the Whigs to proclaim a reward, together with the many thwarting and humiliating instances of opposition to her will from the Whig party, render it more than probable, that she either originally was, or that she became at last insincere in her professions, promises, and exertions to promote the establishment.

CHAPTER III.

THE REIGN OF GEORGE THE FIRST.

IT is foreign from the purpose of this work to analyze the political views of the leading men in power upon the demise of Queen Ann. The Jacobites looked up with more confidence to Lord Bolingbroke, than to the Earl of Oxford, for sincerity in favor of the abdicated family. If Oxford, as must be presumed, of most of the Tories, of that day, were against the Hanover interest, his conduct was reserved, mysterious, and equivocal; by which he lost the confidence of his own party, without gaining that of the other. Bolingbroke was universally supposed to favor the heir of blood, and was known to be a most determined and implacable enemy of the Whigs. The Jacobites relied much upon his affections, but more upon his resentment. The Tory party preponderated in the landed interest of the country; the Whigs had acquired a majority in the privy council; the Tories were without a head, dispirited, distracted, and consequently irresolute: the Whigs, flushed with their ascendancy, acted with concert, energy and effect: they brought into action the principles they had always avowed, and by them they seated the Elector of Hanover on the thrones of Great Britain and Ireland: he was proclaimed and acknowledged king without opposition.* The Tories, as they had every reason to expect, were dismissed from his councils, and the whole management of public affairs was committed to the Whigs.

The parliament of Ireland, convened in November, 1715, was prominently conspicuous in manifesting their zeal for the Hanover succession, and the Whig administration. They passed acts for recognizing the king's title; for the security of his person and government; for setting a price (50,000*l.*) upon the Pretender's head; and for attainting the Duke of Ormond: and they voted the supplies without murmur or opposition. It is to be re-

* Viz. By the Act of Settlement, as George the First, son of Ernest Augustus, Elector of Brunswick, and of Sophia, grand daughter of King James the First.

marked,

marked, that towards the conclusion of the late reign, the commons had, during the last Tory administration, brought in a bill to attain the Pretender: and it was generally believed that her majesty had prorogued the parliament, with the direct view of preventing that bill from passing against her brother: and that with a similar intent to facilitate his access to the throne, she had disbanded the greatest part of the army in Ireland. The commons therefore eagerly seized the opportunity so favorable for ingratiating themselves with his majesty, and for justifying that conduct, which had been reprobated as turbulent and factious by the late government. They accordingly presented a very strong address to his majesty, that he would be graciously pleased, for the security of his government, and the Protestant interest of Ireland, to remove the Earl of Anglesey from his councils and service in that kingdom.* Notwithstanding the recruiting for the

* Vide 3 vol. Journ. Comm. p. 67. This address is founded on the fact of the recruiting service for the Pretender having been openly permitted in Dublin, and the prorogation of the late parliament having been made to prevent the act for attainting the Pretender, and the army's having been disbanded to favor his pretensions. It throws light upon the history of those days, and is to be seen in the Appendix, No. LIV. We are now in an age and circumstances to judge fairly of that wretched policy, which induced our ancestors to transport an army of tried bravery, and unshaken loyalty to the House of Stuart, into foreign countries, there to be formed into nurseries for every youth of martial disposition, whom the severe and humiliating laws of his own country shut out of the profession of arms, as well as every other honorable calling which a gentleman could embrace. As this address of the commons, as well as the general stream of the Whig writers of those days, seem to identify Tories and Jacobites, which terms even to this day are by many considered synonymous, it will be an act of justice to submit to the reader the political profession of faith as to the Pretender of a leading Tory, who was one of the most obnoxious to the Whigs, because he was the most reasonable and sensible of their opponents. It is a letter from Dean Swift, written from Trim on the 16th of December, 1716, to the Archbishop of Dublin (King).

“ MY LORD,

“ I should be sorry to see my Lord Bolingbroke following the trade of an
 “ informer; because he is a person for whom I always had, and still continue a very great love
 “ and esteem: for I think as the rest of mankind do, that informers are a detestable race of peo-
 “ ple, although they may be sometimes necessary. Besides I do not see whom his lordship can
 “ inform against, except himself. He was three or four days at the court of France, while he was
 “ secretary; and, it is barely possible, he might then have entered into some deep negotiation with
 “ the Pretender, although I would not believe him if he should swear it; because he protested
 “ to me, that he never saw him but once, and that was at a great distance in publick at an opera.
 “ As to any other of the ministry at that time I am confident he cannot accuse them; and that
 “ they

the service of the Pretender were one of the principal grounds for the commons address against the Earl of Anglesey, as if countenanced and connived at by his majesty's servants, yet so fully convinced was the ministry of that day of the unquestionable loyalty of the Irish nation, that the lords justices, in their speech to the parliament, rendered them the most honorable testimony, in saying, that it was with no small satisfaction, that they observed the calm, which that kingdom (formerly the seat of so many rebellions) then enjoyed, whilst the traitorous enemies to the king and our happy establishment, discouraged by their early and steady zeal for the Protestant succession, had thought fit to change the place of action, and attempt elsewhere to disturb his majesty's government. Nor was this the soothing art of adulation, but the cordial effusion of active confidence: for the lords

“ they will appear as innocent, with relation to the Pretender, as any who are now at the helm:
 “ and as to myself, if I were of any importance, I should be very easy under such an accusation,
 “ much easier than I am to think your Grace imagineth me in any danger; or, that Lord Boling-
 “ broke should have any ill story to tell of me. He knoweth, and loveth, and thinketh too well of
 “ me, to be capable of such an action. But I am surprized to think your Grace could talk, or act,
 “ or correspond with me for years past, while you must needs believe me a most false and vile man;
 “ declaring to you on all occasions my abhorrence of the Pretender, and yet privately engaged with
 “ a ministry to bring him in: and therefore warning me to look to myself, and prepare my de-
 “ fence against a false brother, coming over to discover such secrets as would hang me. Had
 “ there been ever the least overtures or intent of bringing in the Pretender, during my acquaint-
 “ tance with the ministry, I think I must have been very stupid not to have picked out some dis-
 “ coveries or suspicions. And although I am not sure I should have turned informer, yet I am
 “ certain I should have dropt some general cautions, and immediately have retired. When people
 “ say things were not ripe at the queen's death; they say they know not what: things were rotten.
 “ And had the ministers any such thoughts, they should have begun three years before; and they
 “ who say otherwise, understand nothing of the state of the kingdom at that time.

“ But whether I am mistaken or no in other men, I beg your Grace to believe, that I am not
 “ mistaken in myself. I always professed to be against the Pretender, and am so still. And this
 “ is not to make my court (which I know is vain), for I own myself full of doubts, fears, and dis-
 “ satisfactions, which I think on as seldom as I can: yet if I were of any value, the publick may
 “ safely rely on my loyalty, because I look upon the coming of the Pretender as a greater evil, than
 “ any we are like to suffer under the worst Whig ministry that can be found.

“ I have not spoke or thought so much of party these two years, nor could any thing have
 “ tempted me to it, but the grief I have in standing so ill in your Grace's opinion.

“ I beg your Grace's blessing, and am, &c.

“ JONATHAN SWIFT.”

justices

justices added, that his majesty had ordered an addition to be made to each company of the militia, till such time as he could replace those regiments, which the necessity of his affairs had obliged him then to draw from Ireland to suppress the rebels in Great Britain, wherein their safety was equally concerned with that of his other subjects.* Were not anomaly and incongruity the peculiar properties of Irish history, it would be my duty to draw the reader's attention to the gross inconsistency of rendering solemn homage to the exemplary loyalty of the Irish nation in the most perilous crisis, and punishing them at the same time for a disposition to treachery, turbulence, and treason. Whilst rebellion was openly making alarming progress in North Britain, under the Earl of Mar at the head of 10,000 Scotch Presbyterians, and no part of South Britain was secure from the attempts of the friends of a Catholic Pretender to the throne, *Catholic* Ireland was the only part of the British empire, for which government felt secure, and therefore drew from it the usual sources of national defence to give strength to *Protestant* Britain. Although malice have been saturated in calumniating the Irish nation, it has (perhaps accidentally) escaped even the charge of guilt in the rebellion of 1715. The speech which bore such honorable testimony of the tried loyalty of the Irish Catholics, bespoke the disgraceful policy of keeping and treating them, notwithstanding, as a separate and divided people. "We must recommend to you (said the lords justices in their speech to the commons) in the present conjuncture, such unanimity in your resolutions as may once more put an end to all other distinctions in Ireland, but that of *Protestant* and *Papist*." Such indeed was the hatred, in which they were then holden, that the usual parliamentary phrase for the Irish body of Catholics was, the *common enemy*: scarcely an address concerning them during this reign reached the throne, which did not distinguish them with this appellation. Without any fresh charge or even suspicion of misconduct, they were so explicitly represented in the speech of the Lord Carteret. † "All the Protestants of this kingdom have but one common interest, and have too often fatally experienced, that they have the same *common enemy*." Vain is it to set up the personal character and

* 2 Journ. Lords, p. 453. The lords justices were the Duke of Grafton and the Earl of Galway, and the speech was delivered by the Duke of Grafton.

† 3 Journ. Commons, p. 399,

private virtues of the monarch, as a security or indulgence to his subjects against the penal code of austerities imposed upon them by the legislature: these persecuting and oppressive laws execute themselves. Queen Ann has been represented, perhaps not untruly, as **a tender mother, a warm friend, an indulgent mistress, a munificent patron, a mild and merciful prince*; and yet the body of Catholics was during her reign more severely punished and persecuted than during that of any of her predecessors.† Such, however, notwithstanding the Catholics plea of merit for their non-interference in favor of a Catholic prince of the House of Stuart in the year 1715, whilst his standard was erected in Great Britain, was the government's affected fear or real hatred of the Catholics, that the lords justices, in their answer to the address of the commons praying them to give directions for securing the persons of such Papists and other persons as they should suspect of being disaffected to his majesty's government, assured them, that they had written letters in council to all the governors of counties, sheriffs, mayors, and chief magistrates of corporations to put the militia in immediate condition for service, requiring them at the same time strictly to execute *the laws against Papists*. The resolutions of the commons at a time when Catholic loyalty was eminently meritorious, bespoke the marked oppression under which that body was doomed to pine. First, it was resolved, *nemine contradicente*,

* Smol. Hist. p. 268.

† This is affirmed by Swift, who says, in his *Presbyterian's Plea of Merit*, "I do not conceive why a sunk discarded party, who neither expect or desire any thing more than a quiet life, should, under the names of *High Flyers, Jacobites*, and many other vile appellations, be charged so often in print and at common tables with endeavouring to introduce *Popery* and the *Pretender*; while the *Papists* abhor them above all other men, on account of severities against their priests in her late majesty's reign; when the now *disbanded reprobate party* was in power. This I was convinced of some years ago by a long journey into the Southern parts, where I had the curiosity to send for many priests of the parishes I passed through; and to my great satisfaction found them every where abounding in profession of loyalty to the late King George; for which they gave me the reasons above mentioned: at the same time complaining bitterly of the hardships they suffered under the queen's late ministry." I cannot take leave of Swift, without reminding the reader, that if ever a true Irish patriot existed, he was the man. He is often calumniated by the Whig writers; but no man ever delivered more constitutional sentiments than those, which he published with respect to government. In justice to the author, and in order that their excellent tendency may operate more extensively upon his countrymen, I have subjoined them to the Appendix, No. LV.

‡ 3 Journ. Commons, p. 63.

“ *That it is the indispensible duty of all magistrates to put the laws in
 “ immediate execution against all Popish priests, who shall officiate con-
 “ trary to law, and that such magistrates who neglect the same, be looked
 “ upon *as enemies to the constitution*.” Next it was, in like manner, re-
 solved, † “ That an humble address be presented to their excellencies the
 “ lords justices, that they will be pleased to issue a proclamation, promising
 “ a reward to such who shall discover any person who is enlisted, or shall
 “ hereafter enlist in his majesty’s service, to be a Papist, in order to their
 “ being turned out, and punished with the utmost severity of the law.”
 Vain is it to urge, that a common sense of danger and impartial justice dic-
 tated these resolutions. It can hardly be credited, but not at all accounted
 for, upon what grounds that monstrous partiality of the Irish government
 and parliament was manifested at this period, in favor of the Protestant
 Dissenters, and to the prejudice of the Catholics. If at this distance of time,
 when the prejudices of bigotry and fanaticism have worn themselves out
 of repute and credit,‡ we may without injury attribute effects to their real
 causes,

* 3 Journ. Commons, p. 60.

† Ibid. p. 74.

‡ Every thing in the latter end of the reign of Queen Ann, as well as in the beginning of that
 of her immediate successor, was carried on in the extreme of party violence. Towards the close
 of the year 1714, an anonymous publication appeared, written in a very temperate stile, but stating
 facts relating to the late parliament, and particularly to the attack upon Chancellor Phipps: and one
 of the first resolutions of the commons in 1715, was, that a book, intituled, *A long History of a
 short Session of Parliament in a certain Kingdom*, was a false, scandalous, and malicious libel,
 highly reflecting upon the proceedings and honour of the late House of Commons; and they
 addressed the lords justices for issuing a proclamation for giving a reward to any person who should
 discover the author. (3 Journ. Com. p. 68.) The book was a plain narrative of public facts, in-
 terspersed with some observations: one of which, upon a part of the Duke of Shrewsbury’s speech,
 is too relevant to the spirit of the Irish government, and particularly of the Irish Whig interest of
 that day, to escape notice. (Vide the book, p. 14.) “ The first thing we meet with here, worthy
 “ of observation, is a remarkable clause in his Grace’s speech to both houses, where, after he has
 “ told ’em of his first resolution to discharge the great trust committed to him with zeal for her
 “ majesty’s service and their interest, he adds, *that he must therefore earnestly recommend it to ’em,*
 “ *that as the Protestants of Ireland are united in one common interest, they might all agree in the*
 “ *same means of promoting it.* I mention this clause, because though without question it was well
 “ intended by his Grace; who meant no more; than that they should secure themselves against
 “ the Papists, who are the common enemy; yet the *faction* laid great stress upon it; the Protestant
 “ interest being an expression in great esteem amongst them, to signify sometimes an interest distinct
 from,

causes, it will greatly confirm a former observation, that the party then called the *Whig party*, in Ireland, possessed little of the constitutional principles of the English Whigs; but being the immediate descendants of the antibasilican party of 1648, were still strongly tinged with the leaven of their ancestors. The then recent statute of Queen Ann, which imposed such a mass of rigor upon the Catholics, required the sacramental test from every officer civil or military, from all persons having fee or salary belonging to any office by patent or grant, or having any command or place of trust under the crown: and singular truly was the moment selected for publishing that Democratic dispensation of that law, which we find in the following resolution of the House of Commons, viz. * "That such of his
 " majesty's Protestant dissenting subjects of this kingdom as have taken
 " commissions in the militia, or acted in the commission of the array, have
 " hereby done a seasonable service to his majesty's royal person and go-
 " vernment, and the Protestant interest in this kingdom. *Resolved*, that
 " any person who shall commence a prosecution against a Dissenter, who has
 " accepted, or who shall accept of a commission in the array or militia, is
 " an enemy to King George and the Protestant interest, and a friend to
 " the Pretender." This marked partiality in favor of the Irish Dissenters, whilst an army of Scottish Presbyterians was in open rebellion in favor of the Pretender, cannot be laid to the account of liberality or general tolera-

" from, and even *contrary* to, that of the *established church*; but *always* used to lessen the regard
 " men ought to have for that excellent *Communion*, by putting all denominations of Protestants
 " without distinction upon a level; they know very well that *Atheists*, *Deists*, *Socinians*, and *Sec-*
 " *tarists* of all sorts, go under the name of *Protestants*: and those with the truly *orthodox* of the
 " established church make up the *Protestant interest* of that kingdom: but then surely 'tis not
 " *one* interest, but rather a *comprehension* of interests diametrically opposite; of interests as different
 " from one another, as a rational and Christian communion from an unreasonable and sinful *schism*;
 " as faith and infidelity; religion and irreligion; loyalty and *faction*: and therefore when a cer-
 " tain *set* of men proclaim their zeal for the *Protestant interest*, no wonder they find it easy to
 " distinguish and oppose them to one another." One naturally here reflects, with Mr. Burke
 " (*Lett. to Lang. p. 29*), "that it was not settled at the Revolution, that the state should be Protestant
 " in the latitude of the term, but in a defined and limited sense only; and that in that sense only the
 " king is sworn to maintain it. And that the religion which the king is bound to maintain has
 " a positive part in it, as well as a negative; and that the positive part of it is the most valuable
 " and essential." And he adds, "that a man is certainly the most perfect Protestant and the most
 " perfect Dissenter, who protests against and dissents from the whole Christian religion."

* 3 Journ. Commons, p. 109.

tion, for that very parliament of 1715, passed an act to restrain Papists from being high or petty constables, although a single arm had not been raised by a Catholic in Ireland in support of the Pretender, and every nerve of government was strained to enforce the rigorous execution of all the penal laws against them. The consequence was a general and most rigid persecution against the Catholics for the mere exercise of their religion: their priests were dragged from their concealment, many were taken from the altars whilst performing divine service, exposed in their vestments to the derision of the soldiery, then committed to goal, and afterwards banished the kingdom. The lords justices granted orders for apprehending the Earls of Antrim and Westmeath, the Lords Netterville, Cahir, and Dillon, and most of the principal Catholic landholders as persons suspected of disaffection to his majesty's government.

Although it had now for some time been the settled, though fatal policy of the Anglo-Hybernian government to play off the Dissenters and Catholics* against each other, yet we have before seen, that these Machiavelian manœuvres were generally confined to such objects of internal regulation, as in no manner affected the national rights of Ireland or its independence upon Great Britain. It has indeed been at all times a just, though melancholy remark with reference to Ireland, that the true constitutional Whig principles have never been brought fairly to bear upon that kingdom; as if Ireland had been admitted to our constitution for no other purpose, than that of confirming its existence by way of exception from its practice and participation: a deadly wound, but ever inseparable† from that state of nominal independence which Ireland was permitted to enjoy previous to its Union with Great Britain. In the year 1719, a private cause gave rise to a most important trait in the Irish history illustrative of the principles and facts, which have prominently contributed to the union of the two kingdoms.

A cause relative to an estate betwixt Hester Sherlock and Maurice Annesly was tried before the court of Exchequer, in Ireland. The latter obtained

* Thus, as we before remarked, did the Earl of Wharton with fair and false promises cajole the Dissenters, out of hatred to the Papists, to consent to their own punishment by the Sacramental Test: thus did the administration in this critical juncture prevent any coalition between the Dissenters and Catholics, by rivetting their disunion by the enviable extremes of indulgence and severity.

† *Herbat lateri lethalis arundo.*

a decree which, upon appeal, was reversed by the lords. From their sentence Annesly appealed to the English peers, by whom the judgment given in his favor by the court of Exchequer was confirmed; and an order issued to put him in possession of the disputed estate. Against this determination, Sherlock petitioned the Irish House of Lords. In this affair, the dignity of the peers and the privileges of the nation were deeply involved. The first step the lords took, was to propose to the consideration of the judges, whether by the laws of the land an appeal lay from a decree of the court of Exchequer in Ireland, to the king in parliament in Great Britain? This question they determined in the negative. The peers then resolved, that they would support their honor, jurisdiction, and privileges, by giving the petitioner Hester Sherlock effectual relief, pursuant to a former order. Notwithstanding which, a petition was afterwards presented to the house, by Alexander Burrowes, sheriff of Kildare, setting forth, that his predecessor in office had put Hester Sherlock in possession of the premises: that upon his entering into office, an injunction agreeably to an order of the English peers, issued from the Exchequer, commanding him to restore Maurice Annesly to the possession of the above-mentioned lands: that not daring to act in contradiction to the order of the house he was fined: that, in consequence of this, being afraid lest he should be taken into custody, he durst not venture to come in to pass his accounts, for which he was fined twelve hundred pounds. Upon which the lords resolved, "that Alexander Burrowes, Esq. "in not obeying the injunction issued from his majesty's court of Exchequer "in the cause between Annesly and Sherlock had behaved himself with "integrity and courage, and with due respect to the orders and resolutions "of the house. That the fines imposed upon him be taken off: that the "barons of the Exchequer, viz. Jeffrey Gilbert, Esq. John Pocklington, "Esq. and Sir John St. Leger, had acted in violation of the orders of that "house, in diminution of the king's prerogative, as also of the rights and "privileges of the kingdom of Ireland and the parliament thereof." Orders then passed the house, that the barons of the Exchequer for this offence should be taken into the custody of the Black Rod, which were accordingly executed. In vindication of these measures and of the rights of the nation, they afterwards drew up a representation to be presented to his majesty, in which they represented; that by many ancient records and fundry acts of parliament, it appeared, that the kings and principal men of Ireland did
without

without compulsion submit to Henry II. as their liege lord, who at the desire of the Irish, ordained that the laws of England should be of force and observed in that kingdom. That by this agreement the Irish obtained the benefit of English law, with many other privileges, particularly that of having a distinct parliament, in which weighty and important matters relating to the kingdom were to be treated, discussed, and determined. That this concession and compact, ratified by succeeding kings, encouraged the English to come over and settle in Ireland; where they were to enjoy the same laws, the same liberties, and a constitution similar to that of England. That by this constitution and these privileges, his majesty's subjects had been enabled to discharge their duty faithfully to the crown; that therefore they insisted upon them, and hoped to have them preserved inviolable. That though the imperial crown of that realm were annexed to that of Great Britain, yet being a distinct dominion, and being no part of the kingdom of England, none could determine with respect to the affairs of it, but such as were authorized by its known laws and customs, or the express consent of the king: that it was an invasion of his majesty's prerogative, and a grievance to his Irish subjects, for any court of judicature to take upon them to declare, that he could not by his authority in parliament, determine all controversies betwixt his subjects of that kingdom; or that when they appealed to his majesty in parliament in Ireland, they did not bring their cause before a competent judicature: that in relation to the removal of causes by appeal from that kingdom, the Irish judges being sometimes ignorant of the common law of England, which was the rule of their decisions, did apply to his majesty for information, which he gave them by the advice and with the assistance of the justices of the King's Bench, who in ancient times constantly attended his person. That when the King's Bench came to be fixed, appeals were made to it, though the king were not personally present. That from hence it could not be inferred upon any ground, that appeals from the parliament of Ireland might be brought before the House of Peers in England. They represented, that but two instances had ever occurred, of appeals from the Irish court of chancery to the English peers, prior to the revolution, and two instances subsequent to it, until the year seventeen hundred and three, none of which ought to affect the jurisdiction of the Irish lords; as by the principles and the nature of their constitution, whatever judicial powers were lodged in the British parliament, with respect to

Great

Great Britain and its inferior courts, the same must likewise be vested in the parliament of Ireland, with respect to that kingdom and its inferior courts. That therefore in the year seventeen hundred and three, upon a complaint of the Earl and Countess of Meath, that during the interval of parliament, an order of the English peers had dispossessed them of certain lands, which had been decreed them here; the Irish parliament restored them effectually, to the undisturbed possession of them. That there was just reason to conclude, they would have acted the same part, respecting the appeal of the Bishop of Derry, had he not been removed, and a composition made by his successor with the London society prevented it. Then they stated the appeal of Maurice Annesly from their judgment, with all the particulars of the interference of the English lords in that cause injurious to their privileges; the pernicious consequences of this usurped jurisdiction of the British peers were next pointed out; and they observed to his majesty, that it was the right and the happiness of his subjects in that kingdom as well as of those in Britain, that by their respective constitutions, justice was administered to them without much trouble or expence, in the kingdom to which they belonged; but if his majesty were deprived of the power of finally determining causes in his court of parliament in Ireland, those who were unable to follow them to Britain, must submit to whatever wrongs they might suffer from the more rich and powerful. That if all judgments made in his majesty's highest court within that kingdom, were subject to be reversed by the lords in Great Britain, the liberty and property of all his subjects of Ireland, must thereby become finally dependent on the British peers, to the great diminution of that dependence, which by law they ought always to have on the English crown. That if the interference of the English lords in receiving appeals from Ireland should be recognized and supported, it would take away the power from his majesty of determining causes in his parliament of that country, and confine it entirely to the parliament of Britain. That the writs for summoning the lords and commons in both countries being the same, they must in each kingdom be possessed of equal powers, or else the peerage of their nation would be little more than an empty title; and the commons stand for ever deprived of the privilege of impeaching in parliament, which right could not possibly be maintained, if there were not within the realm a parliamentary judicature. That if the power of judicature could by a vote of the British lords be taken away from

from the parliament of Ireland, no reason could be given why the same lords might not in the same manner deprive them of the benefit of their whole constitution. That the lords of Great Britain had not in themselves any way, either by law or custom, of executing their decrees in Ireland. That this could only be accomplished by an extraordinary exertion of royal power, which would be highly prejudicial to the liberties of the Irish nation. And in conclusion, they informed his majesty, that to prevent the appellant Esther Sherlock, from making farther application to the Irish parliament, his deputy receiver had paid her the sum of above eighteen hundred pounds, which to the prejudice of his majesty's subjects, he expected would be refunded by government. That these proceedings of the English lords had greatly embarrassed his parliament of Ireland, disgusted the generality of his loyal subjects, and must of necessity expose all sheriffs and officers of justice to the greatest hardships by such interference of different jurisdictions. They hoped that all these things being duly considered, his majesty would justify the steps they had taken, for supporting his prerogative, and the just rights and liberties of themselves and their fellow subjects.

The representation and the proceedings of the House of Lords in Ireland, concerning appeals being transmitted to his majesty, pursuant to an address for that purpose, they were laid before the British House of Lords and read: upon which instead of departing from the mode of conduct they had adopted with respect to Ireland, they resolved, that the barons of the court of Exchequer in Ireland, in their proceedings in the cause between *Annesly and Sherlock*, in obedience to their orders, had acted with courage according to law, in support of his majesty's prerogative, and with fidelity to the crown of Great Britain; and that an humble address be presented to his majesty, to confer on them some mark of his royal favor, as a recompence for the injuries they had received, by being unjustly censured, and illegally imprisoned for doing their duty.*

The Duke of Leeds alone entered a protest against these resolutions:† the lords ordered a bill to be brought in, for the better securing the dependency of Ireland, upon the crown of Great Britain, which‡ afterwards passed into

* Jeffrey Gilbert, Esq. was made a baron of the Exchequer in England, May 24th, 1722, and lord chief baron of that court, June 1st, 1725.

† This protest being very pointed and interesting, is given in the Appendix, No. LVI.

‡ The bill being short, and arising so immediately out of the particular facts alluded to, it is here annexed

a law. When the bill had been read a second time in the House of Commons, upon the motion for committing it to a committee of the whole house, a warm debate ensued. Mr. Pitt spoke against the bill, saying, "It seemed calculated for no other purpose, than to encrease the power of the British House of Peers, which, in his opinion, was already but too great." He was seconded by Mr. Walter Plummer, who excepted against the preamble of the bill, as incoherent with the enacting part, which was partly owned by Sir Joseph Jekyll, who in the main, spoke for the bill. Mr. Hungerford, on the contrary side, endeavoured to shew, that Ireland was ever independent with respect to courts of judicature: and he was supported by the Lord Moleworth, Lord Tyrconnel, and some other members. But Mr. Phillip Yorke having backed Sir Joseph Jekyll, and the question being put upon the motion, it was carried in the affirmative by 140 against 83.*

About this time a fresh attempt was made in favor of the Pretender by the intrigues of the Cardinal Alberoni. An armament of twelve ships of the line, and several transports, was equipped, having on board 6000 regular troops, and arms for 12000 men. The command of this fleet was committed

annexed by way of historical illustration: 5 Geo. c. v. *An Act for better securing the Dependency of the Kingdom of Ireland upon the Crown of Great Britain.*

Whereas attempts have been lately made, to shake off the subjection of Ireland unto, and dependence upon the imperial crown of this realm, which will be of dangerous consequence to Great Britain and Ireland. And whereas the lords of Ireland, in order thereto, have of late, against law, assumed to themselves a power and jurisdiction to examine, correct, and amend the judgments and decrees of the courts of justice in the kingdom of Ireland, therefore, for the better securing of the dependency of Ireland upon the crown of Great Britain, may it please your majesty, that it may be enacted, and it is hereby declared and enacted, by the king's most excellent majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that the said kingdom of Ireland hath been, is, and of right ought to be subordinate unto, and dependent upon the imperial crown of Great Britain, as being inseparably united and annexed thereunto; and that the king's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes, of sufficient force, and validity, to bind the people and the kingdom of Ireland. And be it further enacted and declared, by the authority aforesaid, that the House of Lords of Ireland have not, nor of right ought to have any jurisdiction to judge of, affirm or reverse any judgment, sentence or decree, given or made in any court within the said kingdom; and that all proceedings before the said House of Lords, upon any such judgment, sentence, or decree, are, and are hereby declared to be utterly null and void, to all intents and purposes whatsoever."

* Debates in the Commons, 1 vol. p. 213.

to the Duke of Ormond, with the title of captain general of his Catholic majesty. He was provided with declarations in the name of the Spanish monarch, importing, that for many good reasons he had sent part of his land and sea forces into England and Scotland to act as auxiliaries to King James. The Duke of Ormond sailed from Cadiz and had proceeded as far as Cape Finisterre, when the fleet was overtaken and dispersed by a storm, which entirely defeated the intended expedition. In justice to the unshaken loyalty of Ireland, it should be recollected; that at this time the tenantry on the Ormond property, was the most numerous in Ireland, the bulk of the nation was of the same religion as the pretender, Ireland lay more contiguous to Spain than Great Britain, and was less provided for defence against invasion. Yet so sternly loyal to the house of Hanover were the Irish Catholics, even at this early period after the accession of the present illustrious family to the throne, that not even the intriguing Alberoni, the Spanish monarch, the Catholic pretender, or his enthusiastic and then desperate supporter Ormond, dared even to attempt to seduce them from their allegiance and civil duty.

The statutes and parliamentary records shew the impartial and conciliatory principle, upon which the Irish government conducted themselves towards the bulk of the Irish people, in return for their unshaken loyalty to the house of Brunswick. In the year 1719, the parliament passed an Act for Exempting the Protestant Dissenters of that Kingdom from certain penalties, to which they were (in common with the Catholics) then subject.* And the preamble of the act most truly and liberally as far as it went, and politically set forth, that "the granting some ease and indulgence to the Protestant Dissenters in the exercise of religion, may be an effectual means to unite his majesty's Protestant subjects in interest and affection." This desirable object ought certainly not to have been confined to his majesty's *Protestant* subjects: and so indeed thought his grace the Duke of Bolton, who in his speech on the day that the bill passed, falsified the words of that statute, in order to take off the sting,† which this gross and unmerited partiality

* 6th Geo. c. v.

† The lieutenant's speech was made on the 2nd of November, 1719. And on the 10th of the preceding August, the jealousy of the Catholics at the favor shewn to the Dissenters, was very much increased by the answer of his majesty to the address of the commons in favor of the Dissenters. 3 *Journ. Com.* p. 216. "His majesty is glad to find them (his faithful commons) sensible of the danger

tiality for the few to the exclusion of the many necessarily carried with it. "The advanced season of the year makes it proper to put an end to this session, that you may have an opportunity to take care of the public peace in your several counties, and to keep a vigilant eye over those, who may have a desire to disturb it; but of this you will have less occasion to be apprehensive, if you shall use your endeavours to cultivate that, which will be your best security against all foreign and domestic enemies, and which for that reason I must in a special manner, recommend to you in the words of one of those excellent bills passed this day, I mean, *an union in interest and affection amongst ALL his majesty's subjects.*" Unfortunately for the people of Ireland the words of the statute were operative and lasting: those of the lord lieutenant insidious, false, and transient: but the speech of the lieutenant acquired instant circulation: the people read, what they never experienced: and they smarted under what they never read. When the Duke of Grafton closed the next session of parliament, in the same spirit of harshness and mistrust towards a people, which had evinced such eminent steadiness to the new family on the throne, he told them;* "I persuade myself that the same principles, which have influenced your actions in parliament, will excite you to put the laws in execution, when you return to your several counties. I think it incumbent upon me, particularly to recommend it to you, to keep a watchful eye over the Papists, since I have reason to believe, that the number of Popish priests is daily encreasing in this kingdom, and already far exceeds what by the indulgence of the law is allowed." Neither the austerity of government towards the Catholics, nor its invidious predilection and indulgence to the Dissenters, nor the lapse of time, nor any intermediate circumstance, that threatened danger to the establishment, could relax the fervor or shake the steadiness of their

"danger of the Established Church of Ireland, from the great number of Papists and other dissatisfied persons, hoping this consideration will incline them to enter upon such methods as may make the Protestant Dissenters not only more easy, but also more useful to the support of the constitution both in church and state, and will prove a great addition of strength to the Protestant interest." It would certainly have been more politic, and fully as decent, had his majesty's servants recommended an attention to the general interest of Ireland, in lieu of an exclusive attention to the *Protestant* interest, which formally shut out the interests of three fourths of the people. His present majesty was the first English monarch who took a share in the interests of the whole people of Ireland.

* 3 Journ. Com. p. 314.

loyalty and zeal for the house of Hanover. The same noble duke in opening the session in 1723, rendered to the Catholics, perhaps an inadvertent, certainly not an unimportant eulogy, upon the actual confidence placed in their loyalty in the very achme of alarm and danger. The traitorous projects (said his grace) "that were near ripe for execution the last year, made it" "advisable to call for six regiments of foot from Ireland, and as the scene" "of blood and confusion, that was then opening in Great Britain must have" "soon reached this country, his majesty could not more effectually shew his" "tender regard for his subjects, than by ordering that seasonable reinforcement for securing peace in that part of his majesty's dominions." And it is singular, that in the very speech, which proved, that the Catholics were so little suspected of disaffection to the government, as to make it advisable and safe, to send six regiments from Catholic Ireland, for the defence of Protestant Britain, his grace added,* "I cannot but think it a matter deserving your serious attention, to provide some laws for the further strengthening of the Protestant interest of this kingdom, particularly for preventing" "more effectually the eluding of those in being against Popish priests, it" "being too notorious that the number of such is of late greatly increased." Removed, as we now fortunately are, out of that vortex of bigotry and fanaticism, which had the peculiar quality of rendering those who moved in it insensible of their own infection, it appears difficult to believe, that the legislature of any nation should have busied themselves in subtilities, inventions, and resolutions, to provoke, criminate, aggrieve, and punish the great mass of the people, who were eminently observant of all their civil duties. Such were the resolutions of the commons in 1723,† upon which leave

* 3 Journ. Com. p. 314.

† 3 Journ. p. 346, 2nd of October, 1723. Dr. Trotter reported from the committee appointed to enquire into the most effectual means to prevent the same, that they had come to several resolutions in the matter to them referred, which he read in his place, and afterwards delivered at the table, where the same were again read, and are as follow:

1st Resolved, "That it is the opinion of this committee, that Popery has greatly increased within" "these few years in this kingdom, occasioned by the many ways found out and practised by the" "Papists, to evade the several laws already made to prevent the further growth of Popery.

"2nd Resolved, That it is the opinion of this committee, that the neglect of several magistrates" "and officers of the peace, in executing the laws against Papists, has greatly contributed to the" "growth of Popery.

" 3rd

leave was given to bring in heads of a bill for explaining and amending the acts to prevent the further growth of Popery and for strengthening the Protestant interest in that kingdom. Heads of a bill were accordingly prepared with all the inventive acrimony, which infuriated fanaticism could devise: and one blushes for the humanity of an Irish House of Commons, which in satiating its lust for persecution, adopted unanimously a clause in the bill for castrating every Catholic clergyman that should be found in the realm. The bill thus furcharged with this Gothic barbarism, was presented on the 15th of November, 1723, to the lord lieutenant by the commons at the castle, and they most earnestly requested his grace *to recommend the same in the most effectual manner to his majesty*, humbly hoping from his majesty's goodness and his grace's zeal for his service and the Protestant

" 3d Resolved, That it is the opinion of this committee, that the recommending of persons converted from the Popish religion, by which they may be put too early into the commissions of peace, is highly prejudicial to the Protestant interest of this kingdom.

" 4th Resolved, That it is the opinion of this committee, that it is highly prejudicial to the Protestant interest, and an encouragement to Popery, that any person married to a Popish wife should bear any office or employment under his majesty.

" 5th Resolved, That it is the opinion of this committee, that no person who is, or shall become a convert from the Popish to the Protestant religion, ought to be capable of any office or employment under his majesty, unless he shall breed up all his children to the age of fourteen years to be of the Church of Ireland, as by law established.

" 6th Resolved, That it is the opinion of this committee, that no person that is, or shall be converted from the Popish to the Protestant religion, be capable of any office or employment under his majesty, or practise as a barrister, attorney, or solicitor, for the space of seven years after his conversion; and unless he brings a certificate of having received the sacrament thrice in every year during the same term.

" 7th Resolved, That it is the opinion of this committee, that no person who is, or shall be converted from the Popish religion, ought to be deemed or taken as a Protestant in any respect whatever, that has not already, or shall not within a year produce a certificate of his conversion and enroll the same.

" 8th Resolved, That it is the opinion of this committee, that notwithstanding the laws now in being against Popery, the number of Popish priests and friars has of late years encreased in this kingdom, to the danger of the Protestant religion."

The five first resolutions being severally put, the same were agreed to by the house *nemine contradicente*.

And the sixth resolution being put, the same was agreed to by the house with an amendment.

And the seventh and eighth resolutions being severally put, the same were agreed to by the house *nemine contradicente*.

interest

ineerest of that kingdom, the same might be obtained to pass into a law.* It was transmitted to England, and for the honor of humanity, there suppressed with becoming indignation.† The lord lieutenant, on proroguing the parliament, consoled them for the loss of their favorite bill, by attributing its failure to their having brought it in at so advanced a period of the session: recommending to them again a more vigorous execution of the penal laws against the Catholics, and assuring them that he would contribute his part towards the prevention of the growing evil (of Popery), by giving proper directions, that henceforward such persons only should be put into the commission of the peace, as had distinguished themselves by their fidelity to his majesty, and by their steady adherence to the Protestant interest.‡

Whilst the Catholics of Ireland were in open rebellion against their sovereign, as they were in the days of Elizabeth, whilst they were making head against Puritannical regicides in the days and in support of the unfortunate Charles, whilst they were fighting under the banners of their lawful sovereign James II. who certainly had *not* abdicated the throne of Ireland, they were upon some principle considered as enemies: but as from the treaty of Limerick to the accession of George I. they were guilty of no act of hostility, it became the ill judged and unjust policy of future governments, to retain the appellation of *common enemy*, and apply it to the great mass of the people of Ireland, for a variety of purposes, which appear manifest to the unbiassed observer, and unjustifiable to every person, who professes to adopt the mild and equitable principles of our constitution. A very large share of the political power and influence of Ireland had been retained by the Oliverian party, who, with strong tinctures of their original spirit, had adopted the appellation without the principles of the whigs, and were thereby enabled to keep up their political consequence, and use it to the discomfiture of their real adversaries, whom they affected to brand and rejoiced in persecuting as the *common enemy*: the tory party, which consisted chiefly of churchmen

* 3 Journ. Com. p. 366. His grace returned the following answer. "I have so much at heart a matter, which I recommended to the consideration of parliament at the beginning of this session, that the House of Commons may depend upon a due regard on my part to what is desired."

† Some Irish historians attribute the failure of this bill to the humane interposition of Cardinal Fleury with Mr. Walpole. Yet surely there needed no Gallic interference for the damnation of a law of such savage turpitude.

‡ 3 Journ. Com. p. 389.

and

and Catholics though united upon political, yet divided upon religious principles: the Protestant Tories therefore imagined that by a semi-coalition with the Irish whigs, who then were chiefly Dissenters, they should the more readily keep down the possibility of a Catholic *ascendancy* :* the English interest kept
alive

* Although party political writers must ever be read with caution and great allowances, yet writing in the spirit of the parties and times in which they lived, they are sure directories to the future historian in tracing the origin, nature, powers, and extent of the parties, which appeared on the political scenes, it becomes his duty to represent. These elucidations might be worked up into a treatise: I shall select only some passages from known writers, in order to verify the statement of the parties in Ireland at this period, which I am called upon to submit to my readers. I resume not the merits of these opposite writers: still less do I profess to adopt their opinions. The late Lord Clare (in his memorable speech on the union, which must ever be looked up to as a most precious and authentic repository of modern opinions upon the past conduct of the British cabinet with reference to Ireland; has thus referred to the political situation of Ireland at the time we are alluding to. (p. 26.) “ The parliament of England seem to have considered the permanent
“ debility of Ireland, as the best security of the British crown, and the Irish parliament to have
“ rested the security of the colony, upon maintaining a perpetual and impassable barrier against
“ the ancient inhabitants of the country. The executive government was committed nominally
“ to a viceroy, but essentially to lords justices, selected from the principal state officers of the
“ country, who were entrusted with the conduct of what is called the king’s business, but might
“ with more propriety have been called the business of the lords justices. The viceroy came to
“ Ireland for a few months only in two years, and returned to England perfectly satisfied with his
“ mission, if he did not leave the affairs of the English government worse than he found them:
“ and the lords justices in his absence were entrusted implicitly with the means of consolidating
“ an Aristocratic influence, which made them the necessary instruments of the English govern-
“ ment.” Primate Boulter, who from the year 1724 to the year 1742, was the main spring of
the English politics and the instrument of the British cabinet in Ireland, gave to the Duke of Newcastle the following caution against Swift. (1 vol. p. 62, Boulton’s Let.) “ The general report
“ is, that Dean Swift designs for England in a little time; and we do not question his endeavours
“ to misrepresent his majesty’s friends here, wherever he finds an opportunity: but he is so
“ known, as well as the disturbances he has been the fomentor of in this kingdom, that we are
“ under no fear of his being able to disserve any of his majesty’s faithful servants, by any thing that
“ is known to come from him: but we could wish some eye were had to what he shall be attempt-
“ ing on your side of the water.” But we must recollect, that this letter of the primate was dated
on the 10th of February, 1725, O. S. which was about ten weeks after Swift had written to Pope,
(on the 26th of November, 1725) about Mr. Phillips, the primate’s secretary, and the footing that
he and his lordship were on. “ Phillips is *fort chancellor*, whether he shall turn parson or no. But
“ all employments here are engaged, or in reversion. Cast wits and cast beaux have a proper
“ sanctuary in the church: yet we think it a severe judgement that a fine gentleman and so much
“ the finer for hating ecclesiastics, should be a domestic humble retainer to an Irish prelate: he is
“ neither

alive these different divisions and subdivisions of parties, for the ungenerous and Machiavelian purpose of dividing and governing Ireland as a conquered people.

“neither secretary nor gentleman usher, yet serveth in both capacities. He hath published several reasons why he never came to see me: but the best is, I have not waited on his lordship.” Swift ever supported the natural interests of Ireland both against the Dissenters and whig party, who in his ideas endeavoured to monopolize the whole political influence of the country, and against the power of the British cabinet, whose system it was to keep Ireland in a state of perpetual bondage and subserviency to the mere nod of the conqueror. “Therefore,” said he in *his State of Ireland*, “It is too well known, that we are forced to obey some laws, we never *consented to*; which is a condition I must not call by its true uncontrouled name, for fear of Lord Chief Justice Whitshed’s ghost with his *libertas et natale solum* written for a motto on his coach, as it stood at the door of the court, whilst he was perjuring himself to betray both.” Swift rendered himself particularly obnoxious to government about this time, by publishing his *Drapier’s Letters*, and other patriotic works in defence of his oppressed country, but especially for his proposal for the universal use of Irish manufactures, in clothes and furniture of houses, utterly rejecting and renouncing every thing wearable, that came from England: on account of which publication, a prosecution was set on foot against Waters the printer, by the express command of the lord lieutenant, who sent to the Lord Chief Justice Witsshed before the trial, informing him, that a most seditious, factious, and virulent libel had been published, with a design of setting the two kingdoms at variance, and therefore that the printer should be prosecuted with all the severity of the law. The lord chief justice’s zeal on such an occasion wanted no spur: however he outran his commission, by indecently declaring towards the commencement of the trial, that the author’s intention was to bring in the pretender. Government had offered a reward of 300*l.* for the discovery of the author of these letters: but so popular and interesting to Ireland was the subject of them, that no one was found base enough to betray him: which firmness in the cause brought on the prosecution of the printer. In Ireland more than elsewhere does a jury seize the spirit of the day. Notwithstanding they had found their verdict *not guilty*, yet so determinately was the chief justice bent upon procuring a verdict for the crown, that he kept the jury out eleven hours, and sent them nine times out of court, until at last he wearied them into a *special verdict*. This appears fully confirmed by one of the Primate’s letters to the Duke of Newcastle, (*1 vol. p. 112*) and accounts for his lordship’s anxiety to be removed to the common pleas, where he would be placed out of the occasion of executing again such commands of government. “My Lord Chief Justice Witsshed has been with me to desire he may be recommended to succeed Lord Chief Justice Wyndham. He presents that he has with great zeal and fidelity served his majesty, and made himself many enemies by so doing, and would hope for this favor as a reward of his services. I must do him the justice to say, that he has certainly served his majesty with great zeal and affection, and has drawn on himself the anger of the Jacobites by so doing and other discontented persons here, by discountenancing seditious writings in the affair of the *halfpence*.” Upon the death of Witsshed August 1727, the primate’s communications with Lord Carteret, then lord lieutenant, lay open to public view, the nature of the English interest, and the principles by which it was supported

“ in

people. The Catholics broken down by oppression scarcely claimed their rights of existence, and were occasionally made the passive instruments of the three other parties according to the exigencies of their several temporary projects: and were too often made objects of new rigor and persecution, for the sole purpose of withdrawing the attention of their opponents from measures, which the particular parties wished to carry. Several measures of the British cabinet with reference to Ireland, immediately tended to convince

in Ireland. "I must take this occasion to press your excellency that his place may be filled from England. I can assure your lordship, that we have by experience found the want of two English judges in the privy council, since the removal of my lord chancellor to his present post: and I am confident, where there is the least shew of an affair between England and Ireland, or where there is need of impartiality between any contending parties, that may be before the council, we shall be in the last distress, if this vacancy be not filled from England." (1 vol. p. 194.) And in a letter of the same date to the Duke of Newcastle, (p. 195) he says: "we have found by experience since the lord chief baron has been the only Englishman amongst the three chief judges, that things have gone very heavy in the privy council here. When any thing is transacting in council, that can be thought to be for the advantage of England, or where any person of consideration here may be offended, the best we can hope for from a native of this place is, that he will stay away from council, instead of promoting the king's service by his presence and debating."

As the patronage of Ireland as well as England rested with the crown, no wonder, that the English interest acquired and so long kept its ascendancy over all the other parties: and it appears from this prelate's letters, how far it was systematically applied to that intent. So said he to his grace of Newcastle on the 16th of November, 1725: "I am very sorry, that I must send your grace word, that yesterday the *discontented* carried every thing before them, and have falsely stated the debt of the nation, and (in effect) closed the supply. Great pains have been taken by my lord lieutenant and by all his majesty's servants and friends of consequence, to bring the members to reason, and much has been said in the house in debates on these occasions, on the side of his majesty's service. There wants no accident here to furnish a bottom of popularity, every one having it always in his power to grow popular, by setting up for the Irish in opposition to the English interest. And there is no doubt, but some occasion of things going as they have, has been an unwillingness in too many to see an *English* administration well established here: and an intention to make all the *English* already here, uneasy, and to deter others from coming hither. But if those, who have places here, and yet have joined in the late measures, are remembered after the sessions; and if nobody finds his account in having headed the opposition made now to his majesty's service, I do not doubt but the face of affairs here will gradually alter, and we may hope the next session will be more easy and successful." This prelate's letters superabound with the most impressive importunities to all the members of the British cabinet, that none but Englishmen should be put into the great places in Ireland in future. A system of political intrigue most injurious to Ireland, is the burthen of his whole correspondence.

the *whole of the Irish nation*, that the prosperity, welfare, and felicity of that kingdom, had but little sway in determining their conduct towards it. Hence the Tory party, which still persisted in their old principles to oppose the Whig administration, being joined by those, who threw their eyes upon the real state of their country and exerted their efforts to advance its prosperity, the whole of the old and new party acquired (and perhaps not undeservedly) the *common* appellation of *patriots*.* This was the party, which
 Primate

* Amongst these shone conspicuously Dean Swift, whose *Drapier's Letters* have at all times been considered amongst the most effectual engines used in procuring the reversal of Wood's patent. The subject is there treated with much force and perspicuity, and the pernicious consequences to Ireland are pointed out with peculiar judgment and effect. In the same spirit did the dean write his *State of Ireland*; *The Presbyterians Plea of Merit*, and afterwards, *Reasons for repealing the Sacramental Test*, written in the *Style of a Roman Catholic*, and several other works. In his *State of Ireland*, he says, "Ireland is the only kingdom I ever heard or read of, either in ancient or modern story, which was denied the liberty of exporting their native commodities and manufactures wherever they pleased, except to countries at war with their own prince or state: yet this privilege by the superiority of mere power, is refused us in the momentous parts of commerce: besides an act of navigation, to which we never consented, pinned down upon us and rigorously executed, and a thousand other unexampled circumstances as grievous as they are invidious to mention." Then enumerating several, he adds, "in all which we have likewise the honor to be distinguished from the whole race of mankind." So sensible was Swift of the wretched state of policy in the government of Ireland, that he wrote an essay which he intitled, *Maxims controuled in Ireland*. He sets out by observing, that there are certain maxims of state founded upon long observation and experience, drawn from the constant practice of the wisest nations, and from the very principles of government, nor ever controuled by any writer upon politics. He then undertakes to prove (he unfortunately succeeded too well in proving) the falsity of the following maxims as to Ireland.

1st. That the dearness of things necessary for life in a fruitful country is a certain sign of wealth and great commerce: for when such necessities are dear, it must absolutely follow, that money is cheap and plentiful.

2d. That low interest is a certain sign of great plenty of money in a nation.

3d. That the great encrease of buildings in the metropolis argues a flourishing state.

4th. That people are the riches of a nation. The practical inversion of these axioms in Ireland, is the most damning proof of the infelicity and bad government of that country. In support of his observations on the fourth of these maxims, he tells a too lamentable truth: that above one half of the souls in that kingdom then supported themselves by begging and thieving, whereof two thirds would be able to get their bread in any other country upon earth: he therefore said, "he rejoiced at a mortality as a blessing to individuals and the public." In order to form an unbiassed judgment of the state of Ireland at the period under consideration; it is fitting to see what the great
 manager

Primate Boulter always affected to term *the discontented*, and not unfrequently the *king's enemies*: and of whose successful opposition, to the measures of those whom his grace termed *the king's servants, and consequently his friends*, he had complained. In no instance were the exertions of the patriots more brilliantly successful than in opposing Mr. Wood's patent for coining half-pence, which they considered as one of those infamous jobs, of which such loud and repeated complaints have been since heard in Ireland.

As there had not been for many years a coinage of copper in Ireland, the low medium of half-pence and farthings had become very scarce; and the deficiency was found to be attended with great inconveniency. Applications were made to England for a new coinage; but in vain. What was refused to the loud and impressive voice of the Irish nation, was granted to the intriguing and unfair influence of a speculating individual, one William Wood; who obtained a patent for coining copper half-pence and farthings for the use of Ireland, to the amount of 108,000*l.*, and which he made of

manager of the English interest in Ireland says on the other side of the question. Primate Boulter upon his arrival in Dublin in November 1724, informs his grace of Canterbury, "that I have little
" to complain of, but that too many of our own original esteem us Englishmen as intruders." Within a fortnight, he informs the Duke of Newcastle, that, "We are in a very bad state, and the
" people so poisoned with apprehensions of Wood's half-pence, that I do not see there can be any
" hopes of justice against any person for seditious writings, if he does but mix something about
" Wood in them." "All sorts here are determinately set against Wood's half-pence, and look upon
" their estates as half sunk in their value, whenever they shall pass upon the nation. Our pamphlets
" and the discourses of some people of weight run very much upon the independency of this king-
" dom: and in our present state, that is a very popular notion."—"Though all people are
" equally set against Wood here, yet many of the present madnesses are supposed to come from
" Papists mixing with and setting on others, with whom they formerly had no manner of correspon-
" dence." Upon a report of an appointment having been promised of the See of Dublin on the
illness of Archbishop King, who had been translated from Derry to that see in the year 1702, Pri-
mate Boulter tells the Duke of Newcastle, "If I be not allowed to form proper dependencies here,
" to break the present Dublin faction on the Bench, it will be impossible for me to serve his majesty
" further than in my single capacity. I do not speak this, as if I did not think there are some on the
" English Bench, that would do very well in Dublin, and would heartily join with me in promoting
" his majesty's measures: or that I do not esteem it wise gradually to get as many English on the
" Bench here, as can decently be sent hither: but that I think being on the English Bench alone is
" not a sufficient qualification for coming to the best promotions here, and that an imprudent per-
" son may be easily tempted by *Irish* flattery to set himself at the head of the Archbishop of Dublin's
" party in opposition to me: and besides as there is a majority of Bishops here that are natives,
" they are not to be disobliged at once." (4th of March 1724.)

such base alloy, that the whole mass was not worth 8000*l*. Of this base coin he poured an immense infusion into Ireland. Brass multiplied beyond example: was not only used in change, but attempted to be forced in payments. The Irish nation took the alarm, and made it a national cause: and it may be said to have been the first, in which all parties in Ireland had ever come to issue with the British Cabinet. The Irish parliament, in an address to the throne, told the king, they were called upon by their country to represent the ill consequences to the kingdom likely to result from Wood's patent: that the diminution of the revenue and the ruin of trade was the prospect, which it presented to view. An application from the privy council of Ireland to the king spoke the same language: and addresses from most of the city corporations throughout the kingdom to the like effect were handed up to the throne. At the quarter session, the country gentlemen and magistrates unanimously declared against it. And the grand jury of the county of Dublin presented all persons, who attempted to impose upon the people of Ireland the base coin, as enemies to government, and to the safety, peace and welfare of his majesty's subjects. It was not to be expected, that an individual speculator, who could raise an interest with the British Cabinet more powerful than the united voice* of the whole people of Ireland, should forego all his golden prospects of enormous gains from the opposition of those, whom he had in the first instance baffled and defeated. He still commanded such influence with his patrons, as to bring forth a report from the privy council of England in his favor, which cast very severe (not to say indecent) reflections upon the parliament of Ireland, for having opposed his patent. After the nation had been kept in turbulent agitation for a year by the real or imaginary effects of this job, tranquility was at last restored by his majesty's revocation of the patent, which put an end to the currency of this base money, and opened to Ireland a dawn of confidence, that their sovereign's ear would not be for ever shut against the united voice of his Irish people.†

Little

* For the address of the commons to the king, in the first instance, vide 3 Journ. 325, and for their address to his majesty on his gracious answer to the first address, page 368.

† The Primate Boulter found the real spirit of the nation so pointedly against enforcing Wood's patent, that he was compelled even reluctantly to recommend its revocation. "As the session of parliament," said he to his grace the Duke of Newcastle on the 3d of July 1725, "is now drawing near, I hope my lord lieutenant will be empowered in his speech to speak clearly as to the business of the halfpence, and thoroughly rid this nation of their fear on that head: I shall hope

Little else happened during the remainder of the reign of George the first, that in any manner affected Ireland: he died on the 11th of June 1727. His enemies have never charged him with any personal vices: having come to the throne at an advanced period of life, his deportment and manner were rather reserved and formal: he was attentive to business: and had the good fortune to have the merits of his reign attributed personally to himself, whilst its defects were thrown upon the corruption and false principles of his ministers.

"hope if that is done we shall have a pretty easy session." And "if the dread of Wood's half-pence is effectually removed, I hardly doubt of a good issue of the session." The primate, though he could have no doubt of the impropriety and mischief of Wood's patent, yet in the true style of courtly protection to its own creatures, he always contended "that Wood could not be supposed willing to resign it without a proper compensation, (as if the obtaining such a patent had been a work of meritorious or laborious service) and that the seditious and clamorous behaviour of too many here, must rather tend to provoke his majesty and his ministry to support the patent, than to take any extraordinary steps to sink it: and that therefore the most proper way seemed to be, the proposing some reasonable amends to Mr. Wood, in order to his resigning the patent." (*Letter to the Duke of Newcastle, 19th of January 1724.*) However, upon the 25th of September 1725, he tells Lord Townshend, "I must likewise acknowledge the obligation we all lie under here for your procuring so great an instance of his majesty's goodness, as the revoking of Wood's patent."

CHAPTER IV.

THE REIGN OF GEORGE THE SECOND.

UPON the demise of George the First, his son ascended the throne without disturbance or opposition. Now for the first time since the Revolution did the Roman Catholics of Ireland venture to approach the throne by a public act of their body. The penal laws had been somewhat multiplied, and rigorously executed during the late reign. It was still fresh in the minds of the Catholics, that the severe laws of Queen Ann were said to have been passed against them as a punishment for their having neglected to address her on her accession to the throne. The extreme virulence, with which they had been recently calumniated from the press, the pulpit, and the senate, on account of the rebellion of 1715, deterred them from offering any address upon the accession of the Hanover Family. At this juncture, however, they drew up an address of congratulation, which in a dignified manner expressed loyalty to their sovereign, and pledged them to a continuance of their peaceful and quiet demeanour. It was presented to the lords justices, by Lord Delvin and several respectable Catholic gentlemen; but it was received with silent contempt. The lords justices, who were humbly entreated to transmit it to his majesty, never condescended to make an answer to those, who presented it; nor has it been known to this day, whether it reached the hands of the sovereign, or were strangled in its birth by the heads of the *English interest*, who dreaded nothing so much as the united loyalty of the people of Ireland. The severe ordeal, which Catholic loyalty had passed during the reign of George the First, had it seems so far blunted the edge of calumny, that public vituperation was considered no longer prudent. The great engine, patron, and supporter of the *English interest* in Ireland, was Primate Boulter; who well knew that the opposite party, hitherto known by the distinction of *Tories*, which he affected to call the *disaffected*, and the *king's enemies*, were acquiring daily strength by the accession of all those who, as patriots, preferred an *Irish* to an *English* interest in their native country; and

and sensible that the means of supporting the *English* interest would not bear the light, his Grace effected, by a *coup de main*, a bold measure, which would probably have failed, had it been previously canvassed and openly debated in the then prevailing temper of the public mind.

However grievous were the penal laws imposed upon the Catholics during the reigns of Elizabeth and Ann, it is but justice to allow, that none of them had deprived them of the *elective franchise*, that essential and firm armour of a free constitution. By the 24th section of the most vexatious and oppressive of all those acts, 2 Ann, c. 6. *An Act to prevent the further Growth of Popery*, it was indeed enacted, “that from and after the 24th day of March, 1703, no freeholder, burgess, freeman, or inhabitant of that kingdom being a Papist, or professing the Popish religion, should at any time thereafter be capable of giving his or their vote for electing of knights of any shires or counties within that kingdom, or citizens or burgesses to serve in any succeeding parliament, without first repairing to the general quarter session of the peace to be holden for the counties, cities or boroughs wherein such Papists did inhabit and dwell, and there voluntarily taking the oath of allegiance, and also the oath of abjuration, and obtaining a certificate thereof from the clerk of the peace.” Now as it was well known from the tried loyalty and attachment of the Catholics to the family on the throne, that they were generally ready to take these oaths, the harsh plan was formed to shut them out of this only participation of the constitution. The attention, which the nation now began to pay to their civil rights, and the part which the Catholics took in the elections, being the only occasion on which they could exercise any *civil* right that had weight in the state, awakened the primate’s jealousy and alarm, and drove him to the desperate resolution of upholding the *English interest** in Ireland by disfranchizing above four-fifths.

* As much of Primate Boulter’s letters as the editor has favoured us with, openly avows this prelate’s principles upon the subject. Within three weeks after the death of the king, he writes to the Duke of Newcastle, (1 vol. p. 177) “every thing here is very quiet:” and on the same day he informs Lord Townshend (p. 176), “we have no other bustle amongst us than what arises from the warm canvass going on in all parts about the election of members for the ensuing parliament.” He had three days before apprized Lord Carteret, then lord lieutenant, (p. 173,) “that the whole kingdom was in the utmost ferment about the coming elections. I can safely appeal (said his grace) to your excellency for my having to the best of my power served his late majesty, and supported the *English interest* here: and I shall always serve his present majesty as faithfully?”

fifths of its population.† The great opposition to the *English* interest, which it was the pride and boast of this prelate to support, was dreaded from those who

“faithfully : but to be able to do it with the good effect I desire, I hope I shall be as well supported as I have been. Your excellency knows I have nothing to ask: and I believe princes have seldom over many, that are disposed to serve them as faithfully on so easy terms. It would put a good spirit into the *king's friends* here, and particularly the *English*, if they knew, by your excellency's means, what they had to depend upon. There is another thing I cannot but suggest to your excellency, though I am under no fear of the experiment being made, that any thing which looks like bringing the Tories into power here, must cause the utmost uneasiness in this kingdom, by raising the spirits of the Papists of this country, and exasperating the Whigs, who your lordship knows are vastly superior amongst gentlemen of estates here.”

† “To an enquirer after the truth, history, since the year 1699, furnishes very imperfect and often partial views of the affairs of Great Britain and Ireland. The latter has no professed historian of its own since that æra, and it is so slightly mentioned in the histories of the former kingdom, that it seems to be introduced rather to shew the accuracy of the accountant, than as an article to be read and examined. (*The Commercial Restraints of Ireland considered*, 1780, p. 37, written by the Right Hon. Hely Hutchinson, late Provost of Trinity College, Dublin.) Pamphlets (continues he) are often written to serve occasional purposes, and with an intention to misrepresent, and *party writers are not worth any regard*. We must then endeavour to find some other guide, and look into the best materials for history, by considering the facts as recorded in the journals of parliament.” The dearth of historical documents for the last century has driven the author to make researches into all the speeches, that have been published upon the subject, to which those historical facts have reference. In general such speeches must rank with the party writers *that are not worth any regard*. It is painful to be under the necessity of guarding the reader against the misrepresentations (one hopes not wilful, still less malevolent,) of men of talent, information, and personal respectability. The Right Honorable John Foster, the speaker of the late Irish House of Commons, in his speech in the committee of the Roman Catholic bill, on the 27th of February, 1793, in his zeal for keeping the Catholics shut out of this constitutional right to the *elective franchise*, not only maintains the justice and equity of not admitting them to this participation of the constitution, but attempts to prove, that they had been excluded from it by law before the passing of the 1 George II. and ever since the Revolution. The right honorable gentleman says, “the preamble of the 2d of Ann shews clearly the intent of the legislature was to exclude them, and for preventing Papists having it in their power to breed dissensions, by voting at elections of members of parliament, &c. Even the act of George the Second, which they say was the first that excluded them, says in its preamble,—and for the *better* preventing Papists from voting, &c—as if it were a known fact, that they were before excluded, &c.” (p. 11 and 12.) The first preamble, upon which he grounds his argument was to the particular section and not to the statute; and it is impossible to suppose that right honorable gentleman so ignorant of the general construction of statutes, as not to know that *odiosa sunt restringenda*; that the evil and remedy are to be commensurate: that the oath and abjuration were but a test of submission to the reigning families,

who assuming the title of patriots, now solemnly protested against any *foreign* ascendancy over the native rights and interests of their country. It was not natural, that the body of the Irish people should be forward in supporting such *foreign* ascendancy, whether *English* or *Protestant*. The Catholics having long been the unceasing object of calumny and persecution to both parties, as it served their several views, were palled with apathy, and had hitherto found neither in Whig or Tory any principle of relief to their degraded and suffering condition. In point of fact they had suffered less from the family of Brunswick than that of Stuart. Hence arose a dawn of hope that their miseries were on the wain, and they came forward to address their new sovereign. This step was not carried without a considerable division of the Catholic body;* of which the primate so dexterously availed himself in the then pending elections, that on the 24th of August, 1727, he assured the lord lieutenant, *that the elections would generally go well.*†

Multifarious

families, and that none refused them but *Jacobites*, from whose attempts alone to breed dissensions among Protestants the intent of the act was to provide: that if as Papists they were before disabled to vote, it would have been nugatory to call upon them to give this test of their loyalty, which was not incompatible with their religion: that if it had been the intent of the legislature to exclude them from voting at elections, they would have required a subscription to the declaration or the oath of supremacy: he must well have known that the resolutions of one committee on a controverted election, was not even a precedent for another committee, much less the law of the land.

* On the 20th of July, 1727, the primate wrote to Lord Carteret: "I hear this day, that the address yesterday presented by some Roman Catholics, occasions great heats and divisions among those of that religion here." (1 vol. p. 188.)

† It long has been, and probably long will be a complaint, that the cause of the king and constitution are frequently identified with the corrupt measures of the king's servants. At this time the real interest of his majesty, was the welfare and prosperity of Ireland; not the maintenance of an *English ascendancy* there, which had in view to keep down the native influence of Ireland. "I shall leave it to your excellency, what change you will think proper to make in the list of privy councillors here. Your excellency knows as well as any body, who of the present list are enemies to England, and oppose the king's business on all occasions. I shall submit it to your excellency, whether it may be proper for the strengthening of the *English interest* here, to have the present archbishop of Cashell inserted in the new list." The whole tenor of this prelate's correspondence proves the same; and his editor assures us, that these letters will ever remain the most authentic history of Ireland, for the space of time in which they were written; viz. between 1724 and 1742, during which his grace was thirteen times one of the lords justices. It is at length fitting to unmask our prejudices, and pay the just tribute to truth: we can no longer dissemble, that the system of maintaining a *foreign ascendancy* in Ireland, was a system in no shape conducive

Multifarious and extensive were the grounds of national discontent at this time in Ireland. The nation laboured under grievances that restrained commerce, damped agriculture, and checked every incitement to industry. The public mind still rankled at the attempt of government to father Wood's base copper upon them: the odium of that measure long survived its failure: the wretchedness of the poor, (that infallible test of bad government) which the Duke of Grafton had in 1723 recommended to parliament to relieve, had been daily encreasing: in the same year 1723 a petition was presented from the woollen-drapers, weavers and clothiers of Dublin on behalf of themselves and the other drapers, weavers and clothiers of that kingdom, praying relief in relation to the great decay of trade in the woollen manufacture,* since which time no relief had been afforded: frequent speeches from the throne and resolutions of the House of Commons had noticed the encreasing poverty of the nation by the accumulation of the national debt: and Lord Carteret in his speech from the throne in 1727 virtually acknowledged the melancholy and disastrous situation of the nation by recommending to the consideration of the parliament such laws as might be necessary for the encouragement of manufactures, the employment of the poor and the general good of the country.† Already that scarcity‡ began to be felt

to the prosperity and welfare of that kingdom. We cannot doubt of the existence of such a system, when we find this prelate acknowledging his obligations to Lord Carteret *for the early care he took of the English in Ireland* (1 vol. p. 186), and giving him a solemn pledge of his past and future fidelity in this honourable service. "I am sensible of your goodness in acquainting his present majesty, that the supporting of me here will be for his interest, and I desire the continuance of your good offices with the king." (Ibid.) And "while the same measures are pursued as in the last reign, we shall be all easy here: and it must be left to his majesty to judge what persons are most proper to be employed in his service." And "I must request of your grace (i. e. Newcastle), as I have of his lordship (i. e. Carteret), that you would both use your interest to have none but Englishmen put into the great places here for the future." (1 vol. p. 23.)

* Their petition contains these words, "The woollen manufacture of this kingdom, which is confined to our consumption, has of late been so considerably lessened, that several thousand families have been forced to beg alms and charity of good Christians, and a collection lately made throughout the whole city to relieve them from starving." 3 *Journ. Commons*, p. 349.

† 3 *Journ. Commons*, p. 464.

‡ On the 7th of March 1727, Primate Boulter wrote to his Grace of Newcastle (p. 226). "Since I came here in the year 1725, there was almost a famine among the poor: last year the dearth of corn was such, that thousands of families quitted their habitations to seek bread elsewhere, and many

felt, which in the years 1728 and 1729 nearly amounted to a famine.* Indicative of the national embarrassments of Ireland at this period were the indecisive resolutions of the commons, and the institution of a commission under the great seal for receiving voluntary subscriptions in order to establish a national bank for throwing into circulation a quantity of paper, without money, trade or manufactures to support it: and in the same session of parliament, the further resolutions of the same commoners and their address to the throne, that such an establishment would be greatly prejudicial to his majesty's service and of most dangerous and pernicious consequence to the welfare and prosperity of the nation.† Under the like impression of remediless calamity did the commons resolve, though they never acted up to their resolution, that public granaries would greatly contribute to the encreasing of tillage and providing against such wants, as had frequently befallen the people of that kingdom, unless proper precautions should be taken against so great a calamity.

Lord Carteret's administration lasted from 1725 to 1731, and some have extolled his leniency to the indigent Catholics during this period, in discountenancing the rigorous execution of the penal laws against them. In that excess of national calamity, he may have had the policy not publicly to aggravate their evils by religious persecution. A real friend to Ireland could not have coalesced with Primate Boulter in that systematic support of the *English* interest; for that was a system of dividing Ireland within itself.‡ Fearful of an effectual opposition to a measure of such unjust severity, though of the highest political import, not a syllable in the speech from the

" many hundreds perished. This year the poor had consumed their potatoes, which is their Winter
" subsistence, near two months sooner than ordinary, and are already through the dearth of corn
" in that want, that in some places they begin to quit their habitations."

* In the space of six months, ending on the 29th of September, 1729, it appears from the report of the House of Commons, that the import of corn amounted to 274,000*l.* an enormous sum when referred to the fiscal powers of the kingdom at that time.

† 3 Com. Journ. p. 289.

‡ This is verified by the primate's words in his letter to the Duke of Newcastle on the 19th of January 1724: " I find by my own and others' enquiries, that the people of every religion, country, and
" party here are alike set against Wood's halfpence, and that their agreement in this has had a very
" unhappy influence on the state of this nation by bringing on intimacies being Papists and Jacobites
" and the Whigs, who before had no correspondence with them: so that 'tis questioned whether (if
" there were occasion) justices of the peace could be found, who would be strict in disarming Papists."

throne could bear an allusion to it: no heads of any bill transmitted imported any new penal law against the Catholics: on the contrary, the lord lieutenant's speech recommended expressly the consideration of such laws as might be necessary to *be made* for the encouragement of manufactures and the employment of the poor; but *the enforcing the execution* of those for preventing Popish priests and regulars from coming into the kingdom; from which the nation must evidently have been convinced, that no new penal law was intended to be passed in that session against the great body of the Irish people: and the more especially, as now for the first time the lord lieutenant spoke of "the gracious instances of his majesty's concern for the happiness of his people, and the good opinion he had always had of the loyalty and affection of *his subjects of Ireland*;" without the invidious restriction of his majesty's protection, grace and favor to his *Protestant subjects*.

The division, which the Roman Catholics' address occasioned in that body, was by no means into the old party-distinction of Whig and Tory; it was formed upon entirely new principles arising out of the then peculiar circumstances of their country.† A great part of that body began then to consider themselves *Irish-men* as well as *Irish Catholics*; though deprived of most of the civil rights, which their Protestant brethren enjoyed, they sympathized with them in their efforts to preserve the rights of Ireland, and in defiance of religious differences they now began to make *civil liberty* a common cause with their Protestant brethren. This novel coalition between *Protestants and Catholics* in support and defence of the interest of Ireland, became formidably alarming to that party, whose sole mission was to keep up an English interest in that kingdom. Government foresaw the necessary progress of this native coalition against the English interest, and at one blow put an end to the political existence of at least four fifths of the nation by depriving them of the noblest birth right and invaluable privilege of the subject.‡ Thus without any annunciation of such intention,

* 3 Journ. Com. p. 463.

† Of these principles, Primate Boulter appears to have been fearfully apprehensive, when he said, "There wants no accident here to furnish a bottom of popularity, every one having it always in his power to grow popular by setting up for the Irish in opposition to the *English* interest." (*Letter to the Duke of Newcastle*, 1 vol. p. 54.)

‡ Thus did Lord Chief Justice Holt usually call the *elective franchise*. I have adhered to this proportion

tion, without any notice to any of the parties interested, without even a charge or accusation of guilt, by the unexpected introduction of a clause into a bill, the title of which denounced no further severity against the Roman Catholics, was a vital stab given to the constitutional rights of the bulk of the people of Ireland. *Seçt. VII.* "And for the better preventing
 " Papists from voting in elections, be it further enacted by the authority
 " aforesaid, that no Papist, though not convict, shall be entitled or admitted
 " to vote at the election of any member to serve in parliament as knight,
 " citizen, or burghers, or the election of any magistrate for any city or other
 " town corporate; any law statute or usage to the contrary notwithstanding."
 " ing." This truly sweeping clause at once brushed off four fifths of the
 people of Ireland from any representation in parliament: it was inserted
 by way of amendment without notice, without debate, without council;
 thus did the commons sign the death warrant of four fifths of their
 constituents, whose voices had given them their legislative existence.*

The

proportion of Protestants and Catholics, because Primate Boulter in this very year avowed to the Archbishop of Canterbury (1 vol. p. 210.) "*There are probably in this kingdom five Papists at least to one Protestant.*"

* In the debate upon the question of readmitting the Catholics to the elective franchise in the Irish House of Commons on the 4th of February, 1793, Mr. Stanley, in reply to an envenomed Philippic of one of the two, who opposed the bill against the body and principles of the Catholics, in which he said that they they had been prohibited to vote at a much earlier period by the act of Ann, which had annexed the oaths of allegiance and abjuration to the exercise of their *elective franchise*, observed, that this was an additional argument against the policy of the act of George II. for if those oaths "were universally taken by Catholic voters during the reign of Queen Ann and George I. to qualify them to exercise their franchise, as it is well known it was the fact, their acquiescence and taking these oaths was the strongest test they could give of their attachment to the state, and should have entitled them to the confidence of the nation: and therefore it is clear they were not excluded from voting, nor was it intended they should be by those oaths, for it was well known, that the Catholics voted in the election of that very parliament of George II. which afterwards disfranchised them." The learned member, from the general dearth of historical documents, and probably from a designed suppression of facts in this instance, was obliged to resort to the traditionary reports of that act to elucidate the history of its passing. "It was said that the Catholics having by their interest voted Lord Dunkellin out of the county of Galway, returned his opponent. Lord Dunkellin had influence enough with the minister of that day, to introduce that clause depriving the Catholics of their franchise into the act of George II." He himself discredited the rumor, because he said that he had discovered, that there was no Lord Dunkellin of that day capable of being a candidate for the county of Galway. Unwritten reports of such transactions are

The two grand objects, which engrossed the exclusive attentions of Primate Boulter, who might properly be termed the English minister in Ireland, were *doing good in the Church and supporting the English interest*, "which said "his grace to the Archbishop of Canterbury" *labours under great disadvantages in this country.** This is little to be wondered at, when it is considered that the bulk of the nation was not of the established Church,† nor in the occasion of participating of any of the patronage of the *English interest*: they were therefore estranged from any prepossessions in the favor of these two objects: their miseries were alleviated by no substitution of favor or indulgence. The stagnation of trade and want of employment in the manufactures, in part occasioned and in part aggravated the scarcity of the years 1728 and 1729. The first session of the parliament under George II.

are not simply to be relied on; but when they are fairly canvassed in all their bearings upon facts, which are proved by undeniable documents, they often help mainly to the elucidation of the history of those times. The interest of the Clanrickarde family has been always considered to carry the county of Galway, and if by the exertion of the Catholics, another person had been returned, it was very natural that Lord Clanrickarde and his son Lord Dunkellin who had been called up to the House of Lords in 1710 should have resented it, and used their endeavours with the *minister of the day* (i. e. Primate Boulter) to punish and revenge themselves of the Catholics, by whose influence in the late election the interest of that noble family had been defeated. They were the first Protestants of their family, and then supporters of the *English interest*: strong reasons for the Catholics not supporting their interest in the county election; strong reasons for the primate's crushing their and all the Catholics power to oppose the *English interest* in future. However inaccurate the report might have been in confounding the person of Lord Dunkellin with the interest of Portumna, the circumstances which are notorious all combine to prove the remaining part of the report to be strictly true: namely, that the disfranchising clause was introduced by way of amendment, through ministerial influence for a particular purpose and unavowed ends. On one and the same day (9th of February, 1727), Dr. Trotter reported from the committee of the whole house that they had gone through and agreed to the bill *with some amendments* (viz. the disfranchising clause) which were also read and agreed to, and Dr. Trotter was directed to attend the lord lieutenant with the said heads of the bill to be transmitted into Great Britain in due form. 3 *Journ. Com.* p. 522.

* 1 Vol. p. 175. "But (said he) the services I can do will be much lessened, if I am not supported in my station."

† 1 Vol. p. 205. The primate was indefatigable in his efforts to mend the state of the Church, "by getting more glebes, churches, and chappels of ease, that we may in time have churches and resident ministers to answer our wants, for at present many of our people go off to the Papists or Presbyterians for want of churches to repair to." And p. 223, "For want of which, instead of getting ground of the Papists, we must lose to them, as in fact we do in many places, the descendants of Cromwell's officers and soldiers here being gone off to Popery."

which

which ended in May, 1728, went over without opposition: infomuch that the lord lieutenant, in closing the session took an opportunity of observing,* that all the public bills transmitted from thence had been returned under the great seal of Great Britain; which distinguishing instance of his majesty's regard for the parliament of Ireland, was one of the happy effects of that remarkable application and unanimity, which had appeared in all their proceedings.

It is evident, that at this period Ireland was entirely ruled by the principles of an *English interest*: Primate Boulter who directed and supported that interest, admits that the Catholics were then in the proportion of five to one Protestant: but they were generally poor and indigent, consequently the more sensible to the national wants and calamities. So far then was this great mass of the Irish people from being soothed under the general suffering, that they were surpris'd into the forfeiture of their *elective franchise*, and an act was made for †preventing Papists practising as solicitors; which was the only branch of the law, they were then permitted to practice. In order to draw the public mind from the consideration of this new penal rigor imposed upon the Catholics in this hour of national calamity, the lord lieutenant set forth in the most glowing terms of congratulatory solace, “ ‡ his majesty's gracious condescension in departing from his own right “ by lessening his hereditary revenue for the ease of his subjects and encou-

* 3 Journ. Com. p. 570.

† Whilst this bill was pending, some Catholics of Dublin and Corke had set on foot a subscription to defray the expences of raising an opposition to it: when one Hennessy, an interdicted priest, gave information, that this collection was made for the purpose of bringing in Popery and the Pretender. Upon which the papers of these gentlemen were seized and submitted to the inspection of the House of Commons: and it appears from their printed report, that the whole sum collected had not exceeded 5*l*.: the committee however resolved, that it appeared to them, that under color of opposing heads of bills, great sums of money had been collected and raised and a fund established by the Popish inhabitants of the kingdom, through the influence of their clergy, highly detrimental to the *Protestant interest*; and of imminent danger to the present happy establishment: and therefore resolved further, that an humble address should be presented to the lord lieutenant to issue his proclamation to all magistrates to put the laws against Popery into execution. *Cur. St. of the Catholic of Ireland*, p. 257. This circumstance goes to prove, that the clause for disfranchising the whole body of Catholics was not in the heads of the bill, or it is more than probable, that they would have instituted a collection to oppose a bill, that affected every individual of the body in so important a point, rather than a bill, which could not have affected three-score of that description.

‡ 3 Journ. Com. p. 570.

“ ragement:

“ ragement of trade, which shewed his majesty’s concern for the welfare
 “ and happiness of the kingdom, as well as many other signal marks of his
 “ majesty’s goodness, that must evince them, that his majesty had nothing
 “ more at heart, than the interest and prosperity of his people.” He then
 enumerated or alluded to the most popular acts passed in the session, as
 the foundation laid for the encrease of tillage so necessary in the country,
 the new advantages given for the improvement of the linen manufactory,
 the care taken for regulating the assize of bread, the establishing a fund
 for the work-house, and for employing the poor in the populous city of
 Dublin, the relief given to unfortunate debtors, the regulations made for
 future elections (*by abolishing the right of voting in four fifths of the nation*),
 the reducing the parliamentary privileges of the members for the ease and
 benefit of their fellow subjects, and those other excellent laws then passed
 for erecting churches where they were most wanted, for the maintenance
 of the clergy, and for preserving and strengthening the *Protestant interest*
 of that kingdom.

In the course of this session two instances occurred which strongly prove
 how far the *English* and *Protestant* interests were identified* in the words
 and actions of the Irish government.

It happened that a Mr. Allan Brodrick, son to the late chancellor of
 Ireland (who held the seals from the 1st of October 1714, to the 1st of May,
 1725), had been made one of the commissioners of the customs in England:

* Primate Boulter in giving an account of the session to the Duke of Newcastle, three days after it
 closed (1 vol. p. 242), says, “ As my lord lieutenant did his part towards procuring a quiet session of
 “ parliament, so I must do that justice to the rest of the English in power here to say, that we were not
 “ in the least wanting in our several stations to promote the same good.” And before the session was
 over, in giving an account of the opposition to the privilege bill, the primate says: “ the greatness of the
 “ opposition was owing to the management of the Bishop of Elphin (Theophilus Bolton promoted
 “ to the see of Cashell in 1729) who put himself at the head of those lords and others, who con-
 “ stantly oppose the government business here, and by misrepresentations drew in some other lords
 “ of no ill intention to engage their word and honor to each other to throw out the bill. His view
 “ no doubt was to make himself considerable enough by being at the head of this strength to be
 “ bought off. One part of the push he now made was to get all the lay lords here to confederate
 “ against the bishops, who must always be depended upon for doing the king’s business. But as
 “ he has miscarried in his attempt, and has offended all sides, so as to be in no danger of appearing
 “ again at the head of so many lords as he did now, I hope his behaviour will be remembered when
 “ he or his friends push for the archbishoprick of Dublin for him.” (*Letter to Lord Townsend,*
p. 240.)

and

and although the Brodericks had never been charged with any affection to Popery or to the Pretender (the chancellor had been appointed to succeed Sir Constantine Phipps, as being of opposite principles), though well wishers to Ireland, yet even this remote mark of royal favor gave so much offence to the primate, that he complained in several letters on the same day both to the lord lieutenant and the Duke of Newcastle, "that *any thing* which "looked as if that family (*the Brodricks*) was in favor in England might "give them spirit and engage others to join with them in perplexing "matters the approaching session of parliament." And, "we are apprehensive it may give too much spirit to the Brodericks here, and be made "use of by them to engage others to obstruct the king's business in parliament."

The family of Clanrickarde had conformed to the established religion in the days of Queen Ann: and the head of that noble family, in dedicating his ancestors' memoirs and letters to King George the II^d. in 1757, did not scruple to boast of the cause, for which his family had suffered. He had been educated at Eton and Oxford, and was called to the upper house by the title of Lord Dunkellin during his father's life, on the 3^d of August, 1711, and upon his father's death sat in the House of Peers, as the tenth Earl of Clanrickarde in the parliament of 1725. He had made an application to the king to be restored to all that had been forfeited by his ancestors, who had at all times been conspicuous for their loyalty and attachment to their sovereign, and the measure had been graciously assented to by his majesty. But the reversion of so much landed influence into the hands of an Irish family, though Protestant, was considered by the *English interest* in Ireland to contravene their system, which never could be long supported by the native interest of that country. A most violent opposition was therefore raised against the measure in the commons, which for the present completely defeated all the influence of that noble family with the king, and diverted his majesty from his benevolent disposition in their regard. They artfully avoided wounding the feelings of the noble lord, by pointing at his particular case, and formed a resolution upon a broader principle, "that the reversal of outlawries of persons attainted of treason for the "rebellions of 1641 or 1688 is greatly prejudicial to the Protestant interest "in this kingdom, and dangerous to his majesty's person and the succession "established in his royal house." They accordingly voted an address to

M M

his

his majesty, setting forth the dangerous consequences of such misplaced indulgence, which had the effect of withholding for the present his majesty's benevolence and humanity.*

Although

* We cannot entertain a very sublime idea of the purity of the loyalty of those persons, who tell their sovereign that nothing can so effectually make them ready to support and defend his right and title to the crown, as the enjoyment of the forfeited estates of the Papists. The address appears to import more of menace and intimidation, than the effusion of genuine loyalty and attachment to the establishment: and the answer of his majesty clearly bespeaks that his compliance with the prayer of the address was the effect rather of compulsion, than inclination. "We your majesty's most dutiful and loyal subjects, the Commons of Ireland, in parliament assembled, think it an indispensable duty, in this our first session held since your happy accession to the throne, most humbly to represent to your majesty, that the reversal of outlawries of persons attainted for the Rebellions in 1641 and 1688, may be highly prejudicial, and of dangerous consequence to your majesty's sacred person and government, and the succession established in your royal house.

"We are truly sensible of the many blessings we enjoy under your most auspicious reign, and are highly pleased with the agreeable prospect that we have, that the benefits of the Protestant succession will be continued to us and our posterity by your majesty and your royal issue; and we assure your majesty that we shall be always ready to support and defend your undoubted right and title to the crown of these realms with our lives and fortunes, which nothing can enable us so effectually to do, as the enjoyment of those estates which have been forfeitures of the rebellious Irish Papists, and are now in the possession of your Protestant subjects of this kingdom.

"We therefore beg leave to lay ourselves at your majesty's feet, and to implore your royal favor and protection against any attempts the Irish Papists or their descendants may make to reverse the outlawries of persons attainted for those rebellions, having reason to apprehend, if they should succeed, that they will not only endeavour to disturb your faithful subjects in the possession of those forfeited estates they have purchased, and now enjoy under the sanction of several acts of parliament, but do all in their power to subvert our happy constitution in church and state.

"We are fully assured that your majesty hath nothing more at heart than the welfare and prosperity of your people, and we rely entirely on your royal wisdom and goodness, that you will be graciously pleased to discourage all applications or attempts, that shall be made in favor of such traitors and their descendants, so dangerous to your majesty and the Protestant interest of this kingdom."

Mr. Secretary Clutterbuck informed the house that he was commanded by his excellency the lord lieutenant to acquaint the house that his majesty had been pleased to return a most gracious answer to the address of this house touching the reversal of outlawries of persons attainted of treason for the rebellions of 1641 and 1688, which he read in his place, and after delivered at the table, and the same was read again by Mr. speaker, and is as followeth:

"GEORGE R.

"His majesty has received with great pleasure and satisfaction the assurances, which the House of Commons gave him in their address, of their zeal and fidelity to his

Although Lord Carteret continued lord lieutenant till the year 1731, yet was Ireland properly governed during that whole time by Primate Boulter,* to whom the support and extension of the *English interest* in Ireland was solely committed. A trust he effectually accomplished, by paralyzing the small vital relics, that had been left more through shame than compassion to the great body of the Irish people. From that quarter indeed he was thwarted in none of his projects. In parliament, †the chief opposition to any of his bills, was to the *privilege bill* in the House of Lords, several of whom that were embarrassed in their circumstances might naturally be supposed to be against it: but his grace attributed the greatness of the opposition, as was before observed, to the management of the Bishop of Elphin. Out of parliament, the forebodings at the national calamity became most alarming from the Protestants; notwithstanding the Roman Catholics had been additionally aggrieved by new penal laws, which gave the death blow to their civil existence. Within six months from the delivery of that speech from the throne, in which Lord Carteret had attempted to ‡delude the people into imaginary bliss under the most pitiable sufferings of universal calamity, distress, and oppression, Primate Boulter in the private, and therefore the more sincere communications with the Duke of Newcastle on the 23d of November 1728, has left us a just portrait of one part of that unfortunate kingdom; from which the greater wretchedness of the whole must necessarily be deduced. "I am very sorry I am obliged to give your grace

" his person and government; and they may always depend upon his majesty's favor and protection,
 " and on his care and concern for the support of the Protestant interest of that his kingdom; and
 " that accordingly his majesty will effectually discourage all applications and attempts that shall be
 " made for the reversal of outlawries of persons attainted for the rebellion in 1641 and 1688, in any
 " case that may affect the interest or property of any of his Protestant subjects there."

* So then his grace expresses himself to Lord Townsend on the 9th of May, 1728, (p. 239)
 " On Monday our session ended, which has gone through with more quiet and unanimity than usual:
 " and in which more useful bills have passed, than for many sessions together before. And I hope
 " both gentry and clergy will use those powers now given them gradually to plant religion and civi-
 " lity in this country." The Editor of his grace's letters assures us he was the framer of most, if not
 all of these bills.

† Ibidem.

‡ In this speech (3 *Journ. Com.* p. 570.) he represents the people as *truly sensible of the happiness they enjoy under his majesty's most gracious government*, and that nothing could be more acceptable to him, than to find by the addresses of both houses, that *his endeavours for the public service had been to their satisfaction*.

“ so melancholy an account of the state of this kingdom, as I shall by this letter, but I thought it my duty to let his majesty know our present condition in the North.* For we have had three bad harvests together there, which has made oatmeal, which is their great subsistence, much dearer than ordinary.” His grace then complains of American agents seducing the people, with prospects of happier establishments, across the Atlantic; and adds, “ they have been better able to seduce people by reason of the necessities of the poor of late. The people that go from hence make great complaints of the oppressions they suffer here, not from the government, but from their fellow subjects of one kind or another, as well as of the dearth of provisions, and say these oppressions are one reason of their going.” The primate then assures the duke, that 3100 had in the preceding summer been shipped off from thence for the West-Indies, and he draws a lamentable picture of the new miseries they voluntarily undertake to encounter rather than continue under the oppression they suffered at home. One would naturally suppose, that the chief of these unfortunate emigrants had been from that body of the people, who not only felt the common hand of oppression upon them, but who were groaning under an unprecedented code of severity, from which the Protestants were wholly exempted. Yet continues his grace, “ the whole north is in a ferment at present (i. e. the 23d of November 1728), and people every day engaging one another to go the next year to the West-Indies. The humour has spread like a contagious distemper, and the people will hardly hear any body, that tries to cure them of their madness. *The worst is, that it affects only Protestants, and reigns chiefly in the North*, which is the seat of our

* Why the archbishop here confines his duty to the North, one cannot fairly conjecture. When it was well known, that it was the most industrious, manufacturing, and opulent part of the kingdom, which circumstances alone placed it in their power to resist or avoid distress and oppression by means, which the other more wretched and impoverished parts of the kingdom were unable to command. For the sake of humanity I am loath to draw the conclusion, which an unbiassed spectator of this state of Ireland cannot shut out from his mind: that it was the ill-fated system of government at that time, to keep up the *English interest* in the country by the extreme wretchedness and debasement of the natives. Though I reluctantly view these inhuman principles heretofore acted upon in Ireland, I sympathise with that part of the British empire, in the joyful conviction; that its incorporate union with Great Britain has eternally closed that infelicity of Ireland, and ensured her against the rueful consequences of supporting *any factitious ascendancy* over the people of Ireland.

“ linen

“ linen manufacture. This unfettled ftate puts almoft a ftop to trade, and
 “ the more fo, as feveral, who were in good credit before have taken up
 “ parcels of goods on truft and difpofed of them, and are gone off with the
 “ money, fo that there is no trade here but for ready money.”

It is lamentable to obferve the Primate labouring to trace thefe difcontents even in the Proteftant Irifh from any other than the real caufe. “ We have
 “ had under our confideration how to put fome ftop to this growing evil: we
 “ think by fome old laws we can hinder money being carried abroad, and
 “ ftop all but merchants that have not a licence from going out of the king-
 “ dom. By this poft we have fent my lord lieutenant the representation of
 “ the gentlemen of the North, and the opinion of our lawyers what can be
 “ done by law to hinder people going abroad: but thefe are matters we
 “ fhall do nothing * in without directions from his majefty. But whatever
 “ can be done by law, I fear it may be dangerous forcibly to hinder a num-
 “ ber of needy people from quitting us.” As the Primate’s accounts of the temper and difpofition of the people did not fupport that general fenfe of their happinefs, which was fo fulfomely blazoned forth in the fpeech from the throne, it behoves us to remark, that in the fpring of the year 1729 his grace informed the duke of Newcaftle†, that *they were in a very bad way there*: that the diftreffes of the North continued: that fubfcriptions had been fet on foot in Dublin to purchafe corn from Munfter, where it was more plentiful and cheaper, and fell it at reduced prices in the North: that there had been tumults at Limerick, Cork, Waterford, Clonmel and other places to prevent the corn from going to the North: that thofe at Limerick and Cork had been the worft, where they had broken open warehoufes and cellars, and fet what price they pleafed on provifions: but that he had given the neceffary orders to fupprefs thefe riots. He admits, that the buying up of the corn in Munfter had greatly raifed the markets there: but that they were ftill a third cheaper than in the North. His grace then makes an obfervation, which

* It has unfortunately, for Ireland in particular, been the baneful practice of fome fervants of the crown to forward fyftems of unfound or corrupt policy to fuch a height, that they have been unable to check the evil confequences of their own conduct. The responsibility is then fhifted from their own foulders as in this cafe, upon his majefty, who has probably been adverfe or not privy to the real caufe of the exifting evil. The king’s perfonal interference in any degree whatever can not by our conftitution cover or counteract the responsibility of his minifters.

† 1 Vol. p. 287.

always.

always has and ever will be made in all cases of riot of this nature. "There is one reflection these poor wretches have not made, that by their riots the country are deterred from bringing them in provisions, which will make things dearer in those places, than the exportation they are so angry at." Government generally may secure the mob from forenefs and irritation; it never can give them reflection under those impressions. Boulter had given orders to the several magistrates and the judges of assize to have the rioters prosecuted and severely punished in the South. In the North, the humour of going to America still continued, and the scarcity of provisions certainly made many quit them: there were then seven ships lying at Belfast, that were carrying off about 1000 passengers thither: and if, said his grace, we knew how to stop them, as most of them could neither get victuals or work at home, it would be cruel to do it. The dissenting ministers at this time presented a memorial of the grievances their brethren had assigned, as the causes in their apprehensions of the great desertion in the North, which were chiefly the oppression of the ecclesiastical courts about tythes, the whole of which his grace denied or justified in a special letter to the Bishop of London.* Another matter of complaint was of the sacramental test; in relation to which his grace told them: the laws were the same in England. The other grievances they mentioned were the raising of the rents unreasonably, the oppression of the justices of the peace, seneschals and other offices in the country. We learn also, that the Primate was sensible of more discontent from another cause, which has not hitherto been touched upon. "† I very much fear, (said his grace on the 10th of June, 1729) that notwithstanding all precautions, we are in danger of having a troublesome session, *as the debts of the nation are very much encreased within a few years.*"

Nothing can convey a more adequate idea of the financial state of the nation, than to consider the progress of the national debt, and trace the effects, which it gradually produced on the nation.‡ The poverty of Ireland appeared in the year 1716 by the unanimous address of the House of Commons to George I. This address was to congratulate his majesty on his success in extinguishing the rebellion; an occasion most joyful to them, and on which no disagreeable circumstances would have been stated, had not

* Vide the letter in the Appendix, No. LVI.

† 1 Vol. p. 313.

‡ Com. Refr. p. 38.

truth and the necessities of their country extorted it from them. A small debt of 16,106*l.* 11*s.* 0½*d.** due at Michaelmas 1715, was by their exertions to strengthen the hands of government in that year, increased at Midsummer 1717, to a sum of 91,537*l.* 17*s.* 1½*d.* which was considered as such an augmentation of the national debt, that the lord lieutenant, the Duke of Bolton, thought it necessary to take notice in his speech from the throne, that the debt was considerably augmented, and to declare at the same time, that his majesty had ordered reductions in the military, and had thought proper to lessen the civil list.

There cannot be a stronger proof of the want of resources in any country, than that a debt of so small an amount should alarm the persons entrusted with the government of it. That those apprehensions were well founded, will appear from the repeated distresses of Ireland, from time to time, for many years afterwards. In 1721, the speech from the throne, and the addresses to the king and to the lord lieutenant, state in the strongest terms, the great decay of her trade, and the very low and impoverished state, to which she was reduced; that though the debt of the nation were no more than 66,318*l.* 8*s.* 3½*d.* and were in fact less than in the last session, yet the commons thought it necessary to present an address to the king, to give such directions as he, in his great goodness should think proper, to prevent the increase of the debt of the nation.

The debt of the nation in the ensuing session of 1725 was nearly doubled. In the speeches from the throne in 1727, Lord Carteret takes notice of our success in the linen trade, and yet observes in 1729, that the revenue had fallen short, and that thereby a considerable arrear was due to the establishment. In the year 1731, there was a great deficiency in the public revenue, and the national debt had considerably increased. The exhausted kingdom lay under great difficulties by the decay of trade, the scarcity of money and the universal poverty of the country, which the speaker represented in very affecting terms, in offering the money bills for the royal assent. For above forty years, after making several restrictive laws upon the trade of Ireland, she was always poor and often in great want, distress, and misery; though the linen manufactures had made great progress during that time. In the war which terminated in the treaty of Aix la Chappelle, she was not

* Com. Refr. p. 38.

able to give any assistance. The Duke of Devonshire, in the year 1741, takes notice from the throne, that during a war for the protection of the trade of all his majesty's dominions, there had been no increase of the charge of the establishment; and in the year 1745 the country was so little able to bear expence, that Lord Chesterfield discouraged and prevented any augmentation of the army, though much desired by many gentlemen of the House of Commons, from a sense of the great danger that then impended. An influx of money after the peace, and the further success of the linen trade, increased the national wealth, and enabled Ireland to reduce by degrees, and afterwards to discharge the national debt. This was not effected until the 1st of March, 1754. This debt was occasioned principally by the expences incurred by the rebellion in Great Britain in the year 1715: an unlimited vote of credit was then given. From the lowness of the revenue, and the want of resources, not from any farther exertions on the part of the kingdom in point of expence, the debt of 16,106l. 11s. 0½d. due in 1715, was increased at Lady-day 1733, to 371,312l. 13s. 2½d. That government and the House of Commons should, for such a length of time, have considered the reduction and discharge of this debt as an object of so great importance, and that near forty years should have passed, before the constant attention and strictest œconomy of both could have accomplished that purpose, is a very strong proof of the weakness and poverty of Ireland during that period.

Lord Carteret was succeeded in the lieutenancy by the Duke of Dorset: a man of amiable private character: his government however was too closely managed by the primate, not to have created enmity in Ireland on account of his zealous and systematic support of the *English interest* in contravention to the native interest of Ireland. Under this system of government the patriot party acquired so much strength, as to command a majority in the commons on a most important question. During the late administration the court party had moved in the commons, that the fund, which had been provided for the payment of the principal and interest, should be granted to his majesty, his heirs, and successors for ever; redeemable by parliament. The patriots insisted successfully, that it was unconstitutional and inconsistent with the public safety to grant it for a longer term, than from session to session. An attempt was afterwards made to vest it in the crown by continuing the supplies for twenty-one years. When the affair came to be agitated,

agitated, the strength of the ministerialists or court party, and the patriots or country party, was so nearly equal, that the former lost the question by a single vote.*

The Duke of Dorset, who was naturally humane, and very sensible of the extreme hardships, which the Catholics of Ireland then suffered from the existing laws, relaxed so far from the usual stile of addressing the parliament on this subject, that he no longer recommended it from the throne to provide for further severities upon the Catholics; but, as if the crown fatiated with rigor, benignly wished to put a stop to this unceasing system of galling its faithful subjects, though still leaving them to the merciless disposition of those, whose ascendancy depended upon their depression, told them† that he should leave it to their consideration, whether any further laws might be necessary to prevent the growth of Popery, and to secure them against all dangers from the great number of Papists in that kingdom. The commons in addressing his majesty did no more on this occasion, than to keep alive the general alarm

* This patriotic question was carried by the voice of Colonel Tottenham, member for New Ross, who had ridden post to town to be present at the debate, and arrived immediately before the house divided. The great supporter of the patriots at this time in Ireland, was Mr. Henry Boyle. Mr. Conolly the speaker of the House of Commons died in 1780: he had very unexpectedly risen to this exalted station: and at first was under a sort of necessity to temporize with the men in power, to whose influence he owed his rise: and he frequently so far complimented his patrons, as to concur in things he did not approve of, in order to keep up his interest with the court: however when once the patriot interest, to which he naturally inclined, had been established in parliament on a firm and respectable footing, he added to it his support, and ever after acted up to it even in direct opposition to the court or English interest. On Mr. Conolly's death, the patriots generally looked up to Mr. Boyle as the person most worthy of filling this important office: he in the sincere fervor of his primitive patriotism, regarding preferment only as a more efficient mean of serving his country, reminding the house of Mr. Conolly's frequent declarations, that Sir Ralph Gore was a proper person to succeed him in the chair, proposed Sir Ralph Gore, whose personal merits eminently qualified him for that station; and he was elected speaker: but he did not fill the chair two years. Upon his death in 1782, Mr. Boyle was elected to the honorable situation, which he filled with dignity and uprightness for many years. Sir Robert Walpole was so convinced of the powerful interest Mr. Boyle commanded in the Irish House of Commons, that he had previously to his election to the chair, declared, that he was a man of as much penetration as interest, and that whatever scheme he was adverse to, it was no easy matter to carry in the House of Commons of Ireland: and although that minister ever looked upon Mr. Boyle with an envious eye, yet he generally spoke of him in his facetious humour as *the King of the Irish Commons*.

† 4 Journ. Com. p. 9.

which the number of Papists must at all times give to his loyal Protestant subjects, and ensuring to his majesty their best endeavours to prevent all dangers, which might arise from the Papists to the government or peace of the kingdom. At the opening of the parliament in 1733, his Grace of Dorset again relapsed into the ancient style, by calling upon the parliament of Ireland to secure a ** firm union amongst all Protestants, who have one common interest and the same common enemy.* This however appears to have been preparatory to a measure, which had met with the consent of the British cabinet, though it had not been so strongly recommended to the Irish government, as to ensure the cordial co-operation of the supporters of the *English interest* in carrying it. It appears also, that the patriots were not then disposed to that measure of toleration, in favor of the Protestant Dissenters, which the Duke of Dorset had it in his instructions to propose: and which from the decisive opposition, that was prepared against the measure, the government thought proper to drop. It may however be strongly surmised, that Primate Boulter's disinclination to the repeal of the test in favor of the Dissenters may have magnified the opposition to it in his own eyes, and exaggerated it to the British minister, in order to ensure the dropping of the measure in the first instance or its failure in the last.† The honorable testimony

* 4 Journ. Com. p. 70.

† In order that the candid reader may judge of the archbishop's earnestness to second these instructions from England, I lay before him his grace's account of the transaction to the Duke of Newcastle.

“ MY LORD,

Dublin, Dec. 18, 1733.

“ AS an affair of great consequence is just over with us, I mean the push for repealing the test in favor of the Dissenters, I thought it my duty to acquaint your grace how that affair stands.

“ When my lord lieutenant first came hither this time, he let the Dissenters and others know, that he had instructions, if it could be done, to get the test repealed, and he has since spoke to all any ways dependant on the government as well as to others, whom he could hope to influence, to dispose them to concur with the design, and so have others done that have the honor to be in his majesty's service. But it was unanimously agreed, that it was not proper to bring that affair into either house of parliament till the supply was secured. However as the design could not be kept secret, and as the Dissenters sent up agents from the north, to solicit the affair among the members of parliament, it soon occasioned a great ferment both in the two houses and out of them, and brought a greater number of members to town than is usual. There came likewise many of the clergy from the several parts of the kingdom to oppose the design, and a pamphlet war was carried

testimony which the Duke of Dorset rendered in the next year, when he was about to quit the government of Ireland, to the peaceable and steady con-

“ ried on for and against repealing the test, in which those who wrote for it shewed the greatest
 “ temper. And thus the persons who came to town to oppose it, by degrees heated one another,
 “ and visibly gained ground, and the members of the House of Commons were by adjourned calls
 “ of the house kept in town.

“ There were daily reports spread, that the bill would be brought in such or such a day; and some
 “ in the opposition gave out, they would move for it, that the point might be decided one way or
 “ another: till at length after much impatience shewn on the occasion, on this day se’nnight a very
 “ unusual, and I think unparliamentary, motion was made, that after the next Friday, the house
 “ would neither receive bills nor heads of bills for repealing any parts of the acts to prevent the
 “ growth of Popery, in one of which the sacramental oath is enacted. There was some opposition
 “ made to the shortness of the time, and the next Monday moved for, but the warmth of the house,
 “ which was a very full one, against any further delay, and indeed against any repeal of the test,
 “ appeared so great and so general, that it was thought most prudent not to divide about that resolu-
 “ tion. And upon considering what then appeared to be the sense of much the greater part of the
 “ house, and what was found to be the disposition of the members by talking with them, it was
 “ concluded at a meeting at the castle on Wednesday morning, and another on Thursday morning,
 “ where some of the agents for the Dissenters were present, to be most for the credit of the go-
 “ vernment and peace of the kingdom, not to push for a thing which plainly appeared impracti-
 “ cable: and it was thought a very dangerous step to unite a majority of the house in opposition
 “ to the intentions of the government, since it was not so certain when such an union might be
 “ dissolved. And at a meeting of several members of the House of Commons, who were disposed
 “ to repeal the test, it was agreed, that in the present state of affairs, it would be wrong to push
 “ for a thing that would certainly miscarry. Whilst this affair has been depending, there have
 “ been great heats in the House of Commons, and a more than usual obstruction of public business,
 “ and the House of Lords has had their share in their coming to some resolutions though not on
 “ this subject, which would scarce have been carried or moved at another time. And I am fully
 “ of opinion, that though the repeal had passed in the commons, it would have miscarried among
 “ the lords: but I hope now this uneasiness and handle of discontent is over, things will gradually
 “ cool and return to their former course. I find some of the Dissenters now say, the thing ought
 “ to have been tried sooner in the session, but as I mentioned before, it was the opinion of his
 “ majesty’s servants, that the supplies ought to be secured before any danger was run of raising
 “ heats in the house: and besides in the method of our parliament, no bill can be carried by sur-
 “ prize, because though the heads of a bill may be carried on a sudden, yet there is time for a party
 “ to be gathered against it, by that time a bill can pass the council here and be returned from
 “ England, when it is again to pass through both houses for their approbation before what has hap-
 “ pened here will probably the less surprize your grace, because the archbishop of Dublin in Lon-
 “ don acquainted the ministry, that such a repeal could not pass here, which has been my opinion
 “ from the beginning of this session. This I am sure of, that all present in the service of the crown
 “ were of opinion, that the push ought not to be made, where there was no probability of success.”

duct of the Irish nation, ought to be recorded.* “ I think myself happy, said his grace, that on return to his majesty’s royal presence, I can justly represent his people of Ireland, as most dutiful, loyal, and affectionate subjects.”

The Duke of Dorset was succeeded in the lieutenancy by the Duke of Devonshire, whose administration was the longest and most quiet of any, since the accession of the Hanover family. His Grace was wholly devoted to the councils and influence of the primate, who died in that administration.† No lord lieutenant, since the first Duke of Ormond, had displayed such pomp, state, and luxury as the Duke of Devonshire: no one had ever applied so much of his personal patrimony to the gratification or advantage of the Irish nation:‡ and upon the whole, his administration, without being brilliant or glorious, had the negative merit of not having been turbulent.

* 4 Journ. Com. p. 152.

† So the primate expresses himself to this nobleman on the 28th of April, 1737:—“ The great character your grace has from every body, satisfies me we shall be happy under your administration, if it be not our own fault. I have made it my endeavour to serve his majesty faithfully here, and shall always labour to promote his interest and honor, and the prosperity of his subjects; and am glad that I and the other lords justices have been rightly represented to your grace on that head: and I dare answer for them, as well as myself, that we shall do our utmost to make your administration here easy. Beside those publick letters you are pleased to encourage us to write, there will be occasions when it may be for the service of his majesty, and the good of this kingdom, that I should give your grace an account of my particular sense of affairs, which I hope you will allow me the liberty to write to your grace. I can promise that I will never knowingly mislead you, and your grace will always be judge of what I propose.” Upon which the editor of the primate’s letters informs us, that “ his grace’s administration was the happiest, the longest, and perhaps the most useful that was ever known in Ireland since the House of Hanover came to the crown, which was greatly owing to the confidence he placed (advised so to do by his good friend Sir Robert Walpole) in my lord primate. My lord primate died in this administration, but had gone through three sessions of parliament without losing, as it is best remembered, a single government question. But at the same time this is observed, be it also recollected, that his Grace of Devonshire did greatly strengthen his own hands, and by that means those of the government, by a double alliance in marriage with the powerful family of Ponsonby; who then had great weight, and now are of still greater consequence in that kingdom. This alliance, no doubt, contributed to make things go easy again, as it did afterwards during the short administration of that amiable, most worthy, and truly noble personage the last Duke of Devonshire.”

‡ At his own private expences he built the Quay in Dublin, which bears the name of *Devonshire Quay*, in grateful remembrance of this benefactor to the Irish nation.

As it is unquestionable, that the administration of the Duke of Devonshire was entirely carried on by the direction of the primate, it materially affects the history of those times, to ascertain the spirit and principles of that government, by which Ireland then was ruled. In writing to the Duke of Newcastle about the reduction of the gold coin, the primate observes, that he had in a particular manner been ill used on this occasion, and that monstrous stories had been spread about to enrage the people.* At this remote distance from the action of Primate Boulter's principles upon the people of Ireland, represented by their parliament, the impartial observer will necessarily conclude, that every Irishman who considered or felt the independence of his country, would resist the fundamental position laid down by that political prelate, that *the council in Ireland*, whose special mission was to keep up the English interest there, *by the constitution had a power to check the proceedings both of the lords and commons*. As persecution and harshness were agreeable neither to King George the Second, nor to his then favorite minister Sir Robert Walpole, the Catholics of Ireland had enjoyed some few years of relative indulgence, which was ill relished by the primate, as in his ideas it had produced so much insolence in that body, and there was so general a

* 2 Vol. p. 242. "It is possible (said his grace, in 1737), some discontented people may endeavour to bring the affair into parliament, and make some reflecting votes on the council here, which by our constitution has a power to check the proceedings of both lords and commons, I think they will not be able to carry any vote on that point; but if they do, I am sure the only check here on their heat at any time will be taken away, except his majesty is pleased to support the council. In the whole affair I am satisfied, the aim of several is to depress the English interest here, which the more some labour to depress, the more necessary will it be to support it here by his majesty's authority. As for myself I make no difficulty of retiring, if it may be of any use, and indeed have of late been so ill used in this affair, that nothing but his majesty's service should hinder me from retiring. The heats of this town begin to cool, and would have been over by this time, if they had not been artfully kept up for a handle to another place." (*Letter to the Duke of Newcastle, September 29th, 1737.*) The editor of Primate Boulter's letters assures us, that such a malignant spirit had been raised on this occasion by Dean Swift and the bankers, that it was thought proper to lodge at the primate's house an extraordinary guard of soldiers. On no occasion, however, were the Catholics to be supposed innocent of any misconduct that happened in Ireland. It was certainly a singular combination of the most heterogeneous interests, to which the primate attributed this opposition to the will of the English cabinet in Ireland. In this same letter the archbishop hints, that the heats were artfully kept up by Dean Swift and by the management of the bankers and remitters, and the whole Popish party there, and that the affair occasioned a great deal of heat.

disposition

disposition amongst Protestants and Papists to insult magistrates for doing their duty, that they thought it proper for preserving the peace of the country, to prosecute any person *indifferently* that demanded satisfaction of any magistrate for putting the laws in execution.* No argument can so conclusively refute the charges incessantly urged from this side of the water against the Irish for being by disposition turbulent and savage, by principle inimical to England, and by religion disloyal to a Protestant sovereign, than the simple fact, that Ireland raised not an arm against the government, when an extensive and unsuccessful war on the Continent, the countenance of a young Pretender to the British throne, and the absence of a compulsory armed force from Ireland, displayed the most seducing incitements to disorder, disaffection, and rebellion, if their roots existed in the land. It was then, with notorious truth, that the Duke of Devonshire so frequently in his speeches to parliament during this time congratulated them upon the grateful and happy necessity he was under, of reporting favorably to his majesty upon the affection, zeal, and loyalty of his Irish subjects.

Loud and vehement as were the cries and exertions against Popery and Papists in Ireland, yet it is impossible for any temperate man not to see, that they arose out of no other principle than that of self-interest. Lord Clancarty had, it appears, under the Duke of Devonshire's administration, obtained the consent of the British cabinet, that a bill should be brought into

* Letter to the Duke of Devonshire, 2 vol. p. 227. It certainly is a conclusive avowal, that prosecutions were not before that time carried on indifferently in Ireland, when the first minister of national justice makes a desperate and forced threat of administering it *indifferently for the peace of the country*. His grace had before this artfully prepared the public mind for this new and extraordinary administration of *indifferent* justice, by the lord lieutenant's speech at the close of the parliament of that year. (4 Journ. Com. p. 280.) "I have nothing particular to recommend
" to you upon your return to your several countries, being well satisfied that you will in your respective stations put the laws strictly and impartially in execution, encourage an hearty union
" amongst Protestants, and discountenance and punish prophaneness and immorality. I need not
" mention to you, that your maintaining the dignity of the crown, and a due submission to the
" magistrate, will be the surest means to preserve the public peace and tranquillity." The laws which were thus recommended to be put in execution, were well understood at that time to be the Popery laws, and thus by artfully substituting the general words *prophaneness* and *immorality* for the appropriate word *Popery*, which those laws were framed to punish and persecute, this intriguing prelate acquired a plausible reason for extending his favorite system of rigor to those Protestants, who discountenanced the Popery laws and opposed the *English interest*, as objects of more rancor and detestation to his grace than even the Papists themselves.

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the Irish parliament for the reversal of his attainder, which passed for his adhering to the cause of King James in 1688. His estates, which had been consequently forfeited, were, according to Primate Boulter's account, then of the annual value of 60,000*l.* and the report of such a measure, together with the reflections made upon the consequences of such a precedent, threw the Protestant landholders into the greatest alarm and fermentation.* In proportion as they were attached to the possession of the Catholics lands, they were vehement in decrying the principles and tenets of the Catholic religion. It had the effect to sharpen the edge of the law, by more rigorous execution, and of encreasing the acrimony of the Irish government against the body of Catholics, notwithstanding their unshaken loyalty and exemplary conduct. The nature of this alarm appears from the resolutions of the

* 2 Boulter, p. 152.

To the Bishop of London.

MY LORD,

Dublin, 9th of February, 1735.

THE bearer is the Rev. Mr. Cox, one of a very good family here, and of a fair character. He goes over to England to oppose the reversing of the Lord Clancarty's attainder, if any such thing should be attempted this session. He is in possession of 400*l.* per annum, part of the Clancarty estate, which his father bought under the faith of two English acts of parliament, the Irish Trustee Act, and a particular act obtained by the Hollow Sword Blade Company, who had bought great estates here of the trustees, to make good the titles of those, who purchased under them. He will be best able to give your lordship an account of these several acts. But as not only he, but great numbers of Protestant purchasers, who have improved the Clancarty estate to near 60,000*l.* per annum, think they may be affected by such a reversal, I need not tell your lordship what a ferment the discourse of it has occasioned in those parts where the estate lies. But I must further add, that as probably two-thirds of the estates of Protestants here were Popish forfeitures originally, the uneasiness is universal, since they think if the attainder of any family be reversed now, another family may at another time obtain the same favour; and another at another season; for that no possessor of such forfeited estate can tell how long he or his may continue in the quiet enjoyment of what they have bought under the faith of English acts of parliament, and on the improvement of which they have laid out their substance. The House of Commons here have represented their sense of this matter to his majesty, as the House of Lords did two or three sessions ago, to which they then received a most gracious answer, which was the reason they did not address now. As a step of this nature would give great uneasiness to his majesty's Protestant subjects here, I desire your lordship would, where you judge it proper, represent the importance of the case. I have wrote a letter on this subject to his Grace the Duke of Newcastle, and sent it by the same hand.

I am,

My Lord, &c. &c.

commons

commons at the end of the year 1739,* nearly four years after his majesty had in the year 1735 assured them, in answer to their former address, that his majesty would always discourage any application or attempt, that might be made for the reversal of outlawries of persons attainted for the rebellions in 1641 and 1688, in any case that might affect the interest or property of any of his Protestant subjects there. This still proves, that there was an interest in the Irish cabinet, not in unison with all the dictates of the British cabinet :

* 1 Journ. Com. p. 336. Lund. 18th of February, 1739. Mr. Pigot reported from the committee appointed to take into consideration the petition of those, whose names are thereunto subscribed, in behalf of themselves and a great number of other Protestant purchasers of the late forfeited estates in the county of Cork, or deriving under them, and interested in the said estates, that they had come to several resolutions in the matter to them referred, which he read in his place, and afterwards delivered in at the table, where same were again read, and are as follows :

Resolved, That it is the opinion of this committee, that the petitioners have fully proved the allegations of their petition.

Resolved, That it appears to this committee, that seventy-eight suits have been already commenced against the petitioners, and other Protestants, for the recovery of lands forfeited by the horrid Rebellion of 1688, and purchased by them, or their ancestors, under the sanction of several acts of parliament, and that the said suits have been greatly expensive and vexatious to the persons so sued.

Resolved, That it is the opinion of the committee, that any attempt to disturb the Protestant purchasers of the estates forfeited in the years 1641 and 1688, in peaceable and quiet possession of their just and legal properties under such purchases, will be of dangerous consequence to his majesty's person and government, the succession in his royal house, and highly prejudicial to the Protestant interest of this kingdom, and contrary to several acts of parliament made and provided for the security of such Protestant purchasers.

Resolved, That it is the opinion of this committee, that any person or persons who shall promote, encourage, or assist any person or persons in carrying on the said suits, will thereby endeavour to lessen the Protestant interest of this kingdom, and discourage his majesty's loyal Protestant subjects from making settlements or improvements therein.

The first and second resolutions being read a second time, were agreed to by the house, *nemine contradicente*.

The third resolution being read a second time, was, with an amendment thereunto, agreed unto by the house, *nemine contradicente*, and is as followeth :

Resolved, That any attempt to disturb the Protestant purchasers of the estates forfeited in the years 1641 and 1688, in their peaceable possession of their just and legal properties under such purchases, will be of dangerous consequence to his majesty's person and government, the succession in his royal house, and highly prejudicial to the Protestant interest of this kingdom, and derogatory from the parliamentary security, under which such Protestants have purchased.

Then the last resolution of the committee being read a second time, was agreed to by the house.

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the former however prevailed on this occasion, and the attainder of Lord Clancarty was not reversed.*

Several causes combined to protect the Irish Catholics at this time, from being exposed to fresh rigor or persecution: the personal feelings of the sovereign, the political views of the English ministry, the humane disposition of the Duke of Devonshire, all conspired in a system of leniency and moderation, as best calculated to ensure the affection of the Irish nation, when it was well known, that the agents of the abdicated family of Stuart were busily employed in raising partizans within the British empire, and Great Britain was engaged in a most important and unsuccessful war on the continent: and notwithstanding the severity of the laws against Catholics bearing arms either by land or sea, the British government had in defiance of the law, been necessitated secretly to recruit both the army and navy of Great Britain from the fertile nursery of the Catholics of Ireland: and it is obvious, that in a moment of such pressing urgency, it would have been the extremity of rashness to indispose the Irish people from enlisting in the army and navy of Great Britain. In the year 1745, under the administration of Mr. Pelham, who had succeeded Sir Robert Walpole, the British government being embarrassed not only by the loss of the noted battle of Fontenoy, but by the landing of the young chevalier in the north of Scotland, who was immediately joined by many of the northern clans, most wisely appointed the

* This nobleman sensibly repented the irresolution of the English ministry in not carrying into effect their promises and engagements for passing this measure; on this account M^r Allister, in his letters, (p. 15) observes, that he considered himself ill used by the ministry of England, and therefore required but a very slender invitation to join in any enterprise, that in his opinion might distress them, and therefore with great alacrity and readiness he attended the summons he had received from the old Chevalier to prepare for the intended invasion of Great Britain in 1745. Lord Clancarty (says this author) several years before he received the letter of invitation from the old Pretender, had been in Ireland, where he brought ejectments for recovery of an estate forfeited by his father, amounting to about 60,000*l.* per annum, which he claimed under a settlement of marriage. The parliament of that kingdom passed a vote, whereby it was resolved, that any lawyer, counsel, attorney, or solicitor that should proceed in such suit, &c. should be deemed an enemy to his country, &c. This resolution, which quieted the minds and interests of the possessors of that large estate, enraged the mind of the earl, who thought himself entitled to the whole; and disappointed in that expectation, he sought any occasion for procuring to himself the prospect of possessing that great fortune, and would have joined the Grand Turk or Cham of Tartary to obtain it.

Earl of Chesterfield lord lieutenant of Ireland.* Notwithstanding there then existed a corps of British Jacobites, consisting of seven regiments of Irish, and two of Scots† in the pay of the French monarch, who considered themselves

* When political necessity forces government into wholesome measures, it is to be regretted, when they are not softened with the popular unction of *good grace*. Nothing can so effectually absolve a minister from personal gratitude and feeling for his appointment, as to be made sensible in the first instance, that necessity, not favor, brought him to his situation. It makes him feel himself rather the man of the people, than of the crown; hence that dislike to popular ministers, which has too frequently shewn itself in our sovereigns. The gloom of the political horizon in Great Britain, under what was then in derision called the *drunken administration*, had forced the king to sacrifice his confidential and favorite minister Lord Carteret, to private jealousy and public clamor. (*Dr. Maty's Memoirs of Lord Chesterfield*, Sec. IV.) A treaty had been for some time negotiating between the old part of the ministry, and the members of the opposition; but it was not concluded before the close of this year (1744), it was called the *coalition*, or *broad-bottom treaty*. Lord Chesterfield, who was at the head of that party, had long declared for an honorable peace, or, till that could be obtained, for an exclusive exertion of British forces on that element, where they are truly formidable. On this principle a league was formed between the two parties, to drive out the minister, who was looked upon as their common enemy. This was a matter of no small difficulty. Lord Carteret had got possession of the royal ear; and the only way to effect it, was to persuade the king, that his favorite measures would be pursued, and carried on with greater efficacy, by ministers of a more popular cast. Lord Chesterfield was proposed, as being equal to the obnoxious minister in his political knowledge of the interests of princes, and as the most likely person to prevail with the states to join heartily in the common cause. Necessity alone could have induced George II. to employ a man whom, for a number of years, he had been taught to consider as his personal enemy; (he often complained, that the king's ear had been poisoned with lies against him) and whom, in return, he had not treated as a friend. He had, however, no great objection to avail himself of the earl's interest in Holland, and was even willing to send him from thence, as lord lieutenant to Ireland, if for no other reason, to keep him still at a distance. But he wanted to make the admission of the earl into the cabinet a reward for services, rather than a condition of his being employed; and persisted in delaying, at least for a time, to receive him into the closet. Lord Chesterfield peremptorily insisted upon both these circumstances. The audience was accordingly granted; but the monarch, ever superior to dissimulation, received him with great coldness. *You have received your instructions, my lord*, were the only words, which he spoke in answer to the earl's application to be honored with his majesty's commands. This is not the only instance in this reign, of a subject's forcing his way to his master, and obtaining or recovering his favor. Thus was Lord Chesterfield, after an opposition of ten years to public measures, called upon once more to take a part in administration. Admitted on his own terms, and without being obliged to sacrifice either his friends or his principles, he had the satisfaction of being called by the voice of the nation: and while one part of Europe dreaded the influence of so able a negociator, the other loudly expressed the highest satisfaction at so judicious a choice.

† The six Irish regiments of foot, were *Dillon*, *Clare*, *Berwick*, *Roscommon*, *Lally*, and *Bulkeley*; and

selves as auxiliary troops of James Stuart, their rightful monarch of these realms, and that frequent intercourse must have subsisted between those who served

and *Fitzjames's* horse: the Scots were, the *Royal Scots* horse, and *Ogilvie's* foot. Three of these regiments were at the battle of Fontenoy, and deservedly claim the merit of turning the fortune of that day in favor of the French: on which occasion George the Second is reported to have said with unusual emotion, *curfed be the laws, which deprive me of such subjects*. The learned and ingenuous Dr. Campbell gives this honorable testimony of Irish bravery. (*Ph. Surv.* p. 274.) "The Irish troops I find lie under the imputation of generally behaving ill at home. And therefore Voltaire classes Ireland among those nations, which seem formed for subjection, while he admits that her troops behave well abroad." This lively, but inaccurate writer, could not have forgot, that at the battle of Blenheim, Lord Clare's dragoons alone were victorious on the side of the French, having cut to pieces a German regiment commanded by Colonel Goore; that the like glory attended them at Ramillies; and that the Irish regiments of Dillon and Burk saved, not only Cremona, but the whole French army in Italy. This action was attended with such eclat, that it was said in the British House of Commons, that the Irish abroad had done more mischief to the Allies, than they could have done at home, by being repossessed of their estates. They tell you it was Ligonier's horse, to a man Irish, which preserved the king's person, and thereby gained the battle of Dettingen. Many other cases are adduced to the same purpose. It was probably, reflections of this nature which produced the following lines of Swift:

Her matchless sons, whose valour still remains,
On French records, for twenty long campaigns;
Yet from an Empress, now a captive grown,
She saved Britannia's rights, and lost her own.

After all! Is it any thing more than to say, that the frequent insurrections of a divided people, whose war was undisciplined, as their peace was uncivilized, were always suppressed by the regular forces of a great and powerful nation? If the Irish had tamely acquiesced under that submissive faction struck between some of their chiefs and Henry II., there might have been some grounds for the censure of Voltaire.

Sir John Davis, among the many causes assigned why Ireland was not brought under obedience to the crown of England, before the reign of James I. every where commends the prowess, and other natural endowments of the people. A struggle, though unsuccessful for liberty, almost uninterrupted for near 500 years, is certainly no symptom of a country formed for subjection. But this struggle lasted much longer; and had Sir John come later into life, he would have seen, that Ireland was at that time far from being subdued. The being subdued does not argue the being formed for subjection. The Britons were completely subdued by the Romans; and if Britain had been formed for subjection, we could not at this day, boast of being the most free people in Europe. In the history of this country, I do not find any period in which it discovered such despondence, as our ancestors did in that humiliating letter to Aetius.

But be this as it may, the behaviour of the Irish at home, even in the last war, was far from contemptible. They were routed, it is true, at the Boyne, in their first general engagement, by the

served the exiled prince at St. Germain's or in this brigade, and their relatives in Ireland, yet so pure was the loyalty of the great body of the Irish in this critical juncture, that not even a suspicion of their rising in the cause of the Pretender, was harboured or acted upon by that prudent governor. True it is, that before this wise nobleman had assumed the reigns of the Irish government, the usual means of alarming and irritating the public mind from the senate, bench, and pulpit, had been so effectually pursued, that upon a report of the Marshal Saxe's intention to make a descent upon England, a serious proposal had been made in council, that as the Papists had begun the massacre on the Protestants in 1641, it was but just and reasonable in that critical juncture to retaliate in like manner upon the Papists. Although this barbarous proposal were indignantly rejected by that honorable assembly, to which it was proposed, yet such was the enthusiastic rancor of some of the lower orders of the Protestant inhabitants of Lurgan, that such a horrid conspiracy was actually entered into, and providentially prevented by the discovery of a respectable merchant of Dublin, who happened to be accidentally there upon his commercial concerns. Nothing could exceed the coolness, moderation, and wisdom of the Earl of Chesterfield's conduct on this trying occasion.* He had fortunately been entrusted with a plenitude of discretion:

best generals, and the best troops then in Europe; their king, in whose cause they bled, standing at a distance, and shewing himself thereby unworthy of wearing any longer that crown, for which he contended.

At the conclusion of the war, "during the treaty of Limerick, a saying of Sarsfield deserves to be remembered, for it was much talked of all Europe over. He asked some of the English officers if they had not come to a better opinion of the Irish, by their behaviour during this war? And whereas they said, that it was much the same that it had always been, Sarsfield answered, "though low as we are now, change but kings, and we will fight it over again with you."

* Every act of this excellent governor differed from those of all his predecessors, and unfortunately too of most of his successors. (*Maty's Memoirs*) Before he left England, he was willing to shew that he intended to govern by himself. The office of principal secretary is not only a place of considerable power, when the lord lieutenant is willing to throw upon another the load of public affairs. If the secretary be capable and enterprising, he becomes the principal; the governor is eclipsed, and shares only the odium, but never the honor, of his substitute's management. Several persons of great abilities as well as experience, were accordingly proposed to the earl for that important office. But faithful to the rule he had prescribed to himself in his two embassies, he resolved to make superior abilities no part of the secretary's qualifications. He listened not to the intimations of favorites and ministers, and even resisted the insinuations of friendship, which might have

discretion: and the gratitude of the Irish, for the judicious and prudent use of his extraordinary powers, has not even to this day, been effaced from the lowest of their peasantry. Gratitude has ever a strong hold upon the Irish nation. It required indeed the eminent sagacity and address of that nobleman, to baffle the efforts and importunities of the violent party in Ireland, with which they daily assailed the castle, and demanded rigor and severity against the Catholics, as the just tribute to the Protestant interest, and the only means of supporting the establishment: by these salutary measures, during the whole continuance of the rebellion in Great Britain,* not a single Irish Catholic lay or clerical, was engaged, or even accused of being engaged in that cause.†

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have determined his choice in favor of Mr. Mallet. The gentleman he preferred was the late Richard Lyddel, Esq. member of parliament for Baffiny in Cornwall. That gentleman, he says, in a letter to his son, *was a very genteel pretty young fellow, but not a man of business.* This was the circumstance, which dictated his choice; and on the first visit his secretary paid him, he told him; Sir, you will receive the emoluments of your place, but I will do the business myself, being determined to have no first minister. In another instance he likewise chose to be singular and peremptory. He openly declared, that if, during his stay in Ireland, any person should make a successful application to the king, for any place in his majesty's gift, through any other channel but his own, he would immediately throw up the lord lieutenancy. Conscious of his integrity, he certainly was right in making this declaration, which perhaps would neither have been decent nor easily attended to, if a man of less resolution and consequence had at that time ventured to make it. On his landing he found the high character he had acquired, of the greatest service to him. In an island esteemed not less boisterous than the element that surrounds it, he was particularly happy in quieting and captivating the turbulent disposition of the inhabitants; and Cicero, whom he had constantly before his eyes as an orator, became also the object of his imitation in his government.

* The Pretender landed in the summer of 1745, on one of the Hebrides, and on the 19th of August, the Marquis of Tullibardine erected his standard at Glenfinnan: and on the 16th day of April, 1746, the battle of Culloden was won by the Duke of Cumberland, which properly put an end to that rebellion.

† This fact is fully proved by Dr. Curry, (2 vol. p. 261, *Dub. Ed.* 1793.) “ In the year 1762, upon a debate in the House of Lords about the expediency of raising five regiments of these Catholics, for the service of the King of Portugal, Doctor Stone (then primate), in an answer to some common place objections against the good faith and loyalty of these people, which were revived with virulence on that occasion, declared publicly in the House of Lords, that “ in the year 1747, after that rebellion was intirely suppressed, happening to be in England, he had an opportunity of perusing all the papers of the rebels and their correspondents, which were seized in the custody of Murray, the Pretender's secretary; and that after having spent much time, and taken great

When Lord Chesterfield met the parliament on the 8th of October, his speech to them bespoke the wisdom of his conduct: he addressed himself to a feeling people with the authority of a ruler and with the affection of a father. Conscious as he was, that a very large part of them was still rancorously disposed towards the Catholics, he would not all at once shock their inclinations and prejudices by a declaration of that indulgence, which his political experience pointed out to him adviseable at all times, but absolutely indispensable in that juncture: like a great statesman he first assured them, that he was honored with the king's commands to meet them in parliament, and to co-operate with them in whatever might tend to establish or promote the true interest of that kingdom. Then referring pointedly to the circumstances of the Scotch rebellion, and the happiness they had

“ great pains in examining them (not without some share of the then common suspicion, that there
 “ might be some private understanding and intercourse between them and the Irish Catholics) he
 “ could not discover the least trace, hint, or intimation of such intercourse or correspondence in
 “ them, or of any of the letters favouring, or abetting, or having been so much as made acquainted
 “ with the designs or proceedings of these rebels; and what he said he wondered at most of
 “ all was, that in all his researches, he had not met with any passage in any of these papers,
 “ from which he could infer, that either their holy father the pope, or any of his cardinals,
 “ bishops, or other dignitaries of that church, or any of the Irish clergy, had either directly or
 “ indirectly, encouraged, aided, or approved of, the commencing or carrying on of that rebellion.”
 There cannot be a more honorable testimony confirming this report of Primate Stone, than the
 charge given to the grand juries of the city and county of Dublin, by the Lord Chief Justice Mar-
 lay, in which he thus addressed them: “ When posterity read, that in this age a rebellion was
 “ carried on in Great Britain without the least colour, or pretence of oppression, nay, by many
 “ who had not even that false pretence of religion to palliate their treason against a prince, one
 “ of the best, the most merciful, just and most generous of our royal line, who has given the for-
 “ tunes of all criminals, whether forfeited for crimes against the state, or for other offences,
 “ to their children or relations (a grace never practised before); who has exposed his person at
 “ the head of his armies, in defence of the liberties of his kingdoms, and of Europe; and that
 “ Ireland, where much the greatest part of the inhabitants profess a religion, which sometimes
 “ has authorised, or at least justified rebellion, not only preserved peace at home, but contributed
 “ to restore it among his subjects of Great Britain; will they not believe that the people of Ireland
 “ were actuated by something more than their duty and allegiance? Will they not be convinced,
 “ that they were animated by a generous sense of gratitude, and zeal for their great Benefactor,
 “ and fully sensible of the happiness of being blessed by living under the protection of a monarch,
 “ who, like the glorious King William, the Henries, and Edwards, his royal predecessors, has
 “ himself led his armies to victory, and despised danger in the cause of his people; and one from
 “ whom we not only expect, but are assured of, a race of princes, equally eminent for their gene-
 “ rosity, prudence, and courage.”

enjoyed

enjoyed under the house of Brunfwick, he thus touched upon the old subject of invective to all his predecessors on their meeting the parliament. "The measures, that have been hitherto taken to prevent the growth of Popery have I hope had some, and will still have a greater effect: however I leave it to your consideration, whether nothing further can be done either by new laws, or by the more effectual execution of those in being, to secure this nation against the great number of Papists, whose speculative errors would only deserve pity, if their pernicious influence upon society did not both require and authorise restraint." And "for my own part (he concluded) I make you no professions: you will, you ought to judge of me only by my actions."

* The lords on the same day resolved on an address to the king, which should amongst other things express their great thankfulness to his majesty for his goodness in placing over them, at that critical juncture, his excellency, the Earl of Chesterfield, whose distinguished abilities often and signally exerted in the service of his majesty, so eminently qualified him for the important trust then reposed in him by his majesty for the security and happiness of that kingdom. And on the next day the commons voted an address to the throne, in which they assured his majesty, that they could not have a stronger assurance of his majesty's tender concern for them, than in the choice of a governor for that kingdom, so eminent for great abilities and distinguished merit as the Earl of Chesterfield, whose discerning judgment had pointed out what was necessary for their consideration and care, both with respect to the honor of his majesty's government, and their own true interest.

The Earl of Chesterfield found but an inconsiderable military force in the kingdom: and had he given ear to the alarmists of that day, who magnified external and fabricated internal danger, he would have drained Great Britain of her troops to quell an ideal insurrection by measures, that probably would have created a real one: had he trodden the beaten path of patronage, he would have raised new regiments: had he pursued the old system of the castle, he would have increased the expenditure, and trebled the supplies, under the hackneyed cries of Popish risings for a Popish Pretender, and Protestant massacres: had he continued the system of rigor and persecution he

* 3 Lords' Journ. p. 591.

found carrying on against the Catholics at his arrival in that kingdom; their places of worship would have remained shut, and the prisons and scaffolds would have been crowded with their priests, for disobeying the proclamation lately issued to oblige them to quit the kingdom, and for enforcing the strictest execution of the penal laws of Elizabeth and Ann. The conduct of this wise viceroy was directly the reverse. Confiding in the steady loyalty of the Irish people, instead of encreasing, as he was importunately advised, the army by 4000 men, he sent four battalions to the assistance of the Duke of Cumberland, and encouraged volunteer associations to form in different parts of the kingdom for the defence of their country. These battalions he replaced by additional companies to the regiments already on the establishment, without encreasing the expenditure of the nation, the influence of the crown, or his own patronage or emolument. The supply asked for by Lord Chesterfield was small: it was raised with ease and expended with œconomy: there was a considerable saving out of what was raised, and it was applied to the improvement of the harbour of Corke. He rested the support of his measures upon their rectitude, and chastely abstained from gaining friends by the customary mode of reversionary grants. He opened to the Catholics their places of worship,* released their priests out of prison, and allowed them the undisturbed exercise of their religious duties. This great statesman well knew, that the Irish, above all other people, were

* In many parts of the country the Popery laws were executed with the most unrelenting rigor: it is however but an act of justice to several of the magistrates of that day to observe, that they were even ingenious to extend their leniency to those, who they were conscious, did not deserve rigor at their hands. Their humanity revolted against the power, which the law gave them: when the Reverend Mr. Egan was prosecuted for being a Popish priest, the witnesses swore they saw him celebrate the Mass, which in the eye of the law was sufficient to convict him; but the judge replied, that Garzia the Jew had done the same in Dublin, in 1718, and that nothing would do to prove Egan a Popish priest, but to substantiate his ordination after the manner of the Romish Church; "besides (said he) to my knowledge, a priest must know some Latin, but here is a booby that cannot read a word of English." The arrival of Lord Chesterfield as viceroy served to mitigate the severity of those unsocial times, and he availed himself of an accident, which was universally spoken of, to soften the rage of persecution. A Mr. Fitzgerald happened to say Mass in the garret of a very old house, which gave way on account of the immense crowd that was assembled; the priest and nine persons were killed, and numbers wounded by the ruins. People in power were touched with a transitory pity, which Lord Chesterfield's humanity took care to cultivate. The chapels were allowed to be opened on St. Patrick's day, and were never after shut, not even during the rebellion, which blazed in Scotland in the year 1745.

to be gained and secured by confidence, kindness and liberality. Thus Protestants and Catholics, Whigs and Tories, English and Irish interests, all stricken with the glare of rectitude of his measures, united in contributing to render his government agreeable and efficient. Neither in nor out of parliament was a single measure of this excellent governor opposed, or disrelished.* The lords almost immediately (viz. on the 9th of October 1745)

* Doctor Maty thus retails this governor's conduct (*Mem. Sect. V.*). Upon the breaking out of the rebellion, the private Popish chapels in the metropolis had been searched for, and ordered to be shut up, proclamations were issued to compel the priests to leave the capital, and the refractory were imprisoned and threatened with severe punishments. The new lord lieutenant did not want for advisors, who pressed him to follow this example. His enlarged notions of humanity and true politics induced him to pursue a different and much wiser course. He allowed the Roman Catholics the free use of their religion, and far from attempting to shut up their places of worship, he rather wished them to continue open; and prevented any disturbance from being given to those, who resorted to them. His view was to discover whether the people of that denomination remained in the kingdom, or left it to go over to their supposed friends in Scotland. To be informed of that material fact, he took care to engage persons to attend at their chapels and fairs, and received with great satisfaction, assurances, that they were both as much frequented as ever. A certain proof of the confidence they placed in his promises, and of their desire not to molest government. The deluded adherents to the exiled family were treated with equal lenity and prudence. One of them, a Roman Catholic, who had an estate in the neighbourhood of Dublin, and was looked upon as an agent to the Pretender, was privately sent for to the castle. "Sir (said Lord Chesterfield), I do not wish to inquire whether you have any particular employment in this kingdom, but I know that you have a great interest amongst those of your persuasion. I have sent for you to exhort them to be peaceable and quiet. If they behave like faithful subjects, they shall be treated as such; but if they act in a different manner, I shall be worse to them than Cromwell." Whether he would have really been so, may be doubted; but this conversation, together with his watchful eye, had such an effect, that not one of them stirred during the whole time of the rebellion, and all the informations against particular persons were found absolutely groundless. His efforts to remove prejudices, and maintain harmony and benevolence, were seconded by writers, whom he encouraged to support the same cause. Dean Swift was still alive, when Lord Chesterfield arrived, but reduced to a state of total dotage and insensibility, which one month after ended in his death. This short interval was laid hold of, to publish under his name a new letter of a Drapier to the good people of Ireland, and particularly to the poor Papists. It was so much in the dean's stile, and was so greedily received, that it went through a variety of editions in a month's time. Indeed the many strokes of wit and humour, that it contained, would induce me to suspect, that his lordship had some share in it. Berkeley, the bishop of Cloyne, employed himself in the same cause, perhaps more usefully than in his recommendation of tar water, or his dialogues against matter. His letter to the Roman Catholics of his diocese was worthy of a Christian bishop. He endeavoured to dissuade his fellow
P P citizens

1745) expressed their satisfaction at the appointment of this great statesman at so critical a juncture, in an address to the lord lieutenant;* in which they expressed their sense of his majesty's favor and goodness towards Ireland in sparing from his councils in Great Britain, a person of his excellency's known and tried abilities for the good and advantage of that nation. †The commons

citizens and neighbours from falling into the same errors, which had been so fatal to their fathers; and appealing to their reason, convinced them, that their situation was as advantageous as they could wish it to be, and that it would be the height of imprudence to engage in a dangerous cause, to which neither interest did invite, nor conscience did oblige them." Reason never speaks in vain; the most hardened are insensibly softened by its voice. The Irish priests, sensible of the gentleness of the present administration, co-operated with their Protestant brethren to maintain order and tranquillity. These pastoral letters, public discourses from the pulpit, and private admonitions, were equally directed for the service of government. The ill-grounded apprehensions of the friends to the present system were not less to be guarded against, than the enterprises of its enemies. This was by much the most difficult task, but Lord Chesterfield was equally successful in encouraging the former and disarming the latter. By constantly appearing to be afraid of nothing, he spread an universal belief that nothing was to be feared; and by the ridicule he threw upon the violent measures which were proposed to him, he manifested his desire of abstaining from them till there was real danger. Thus (Notes to the Memoirs, p. 29 and 31) the same author says, that a zealous Protestant, thinking to pay his court to the lord lieutenant, came to inform him, that one of his coachmen was a Roman Catholic, and privately went to Mass. *Does he indeed?* (said his lordship) *well, I will take care he shall never carry me there.* An instance of his lordship's calmness and presence of mind on this occasion has been given by the Bishop of Waterford. "I cannot (says he) forbear to mention a pun of his lordship's, which shews his quickness at repartee, and that he had the best information of the dispositions of the Roman Catholics, and was not afraid of them. The vice-treasurer, Mr. Gardner, a man of a good character and a considerable fortune, waited upon him one morning, and in a great fright told him, that he was assured, upon good authority, that the people in the province of Connaught were actually rising. Upon which Lord Chesterfield took out his watch, and with great composure answered him, It is nine o'clock, and certainly time for them to rise; I therefore believe your news to be true."

* 4 Lords Journ. p. 594.

† 4 Commons Journ. p. 506.

MAY IT PLEASE YOUR EXCELLENCY,

We the commons of Ireland in parliament assembled, beg leave to express our sincere and unanimous sense of the benefits which we have received from your excellency's mild and prudent administration. His majesty's gracious acceptance of the duty and loyalty of his subjects in this kingdom, has been particularly manifested by his committing them to your excellency's care, in so critical a conjuncture, when your zeal for the present happy establishment was of more immediate importance to our security, and your eminent abilities could be more effectually exerted for our service. These uncommon talents, by which your excellency has been most justly

commons were more tardy in expressing their sentiments to the viceroy, though their address, which was made on the 5th of April 1746, were more pointed, as being founded in the happy experience, and not in the anticipated confidence of his administration. The Earl of Chesterfield had the satisfaction of seeing all his attempts to serve the kingdom he was sent, in that critical moment, to govern, requited by the most peaceful demeanour and enthusiastic gratitude of the Irish nation. He was universally admired on his arrival, beloved during his stay, and regretted upon his departure. To perpetuate his virtues and the gratitude of the nation, his bust was placed in the castle of Dublin at the public expence.*

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justly distinguished, and which did in all times excite our admiration, must now more sensibly affect us, when we have seen them through your whole administration, so invariably directed, and employed with so unwearied an application to support the dignity of his majesty's crown, and to promote the true interest of his people. As upon the first appearance of the rebellion in Scotland, our zeal for his majesty animated us with a just resentment and indignation, and as our concern for the preservation of our rights and liberties, so dear to the Protestants of this kingdom, could not but raise in our minds some unquiet apprehensions; we were ready, as we shall ever be, cheerfully to concur in all proper measures, and to exert our utmost strength for the defence of the king's government, and the support of your excellency's authority under him. And we do now, with equal cheerfulness, and with the utmost gratitude acknowledge, that the profound tranquillity, which, without any extraordinary increase of public expence, we of this nation have hitherto enjoyed, has been the result of a wise and vigilant administration over us; an administration formed upon the principles and carried on by the uniform exercise of lenity without remissness, and of firmness without severity. We receive it as a particular mark of your excellency's regard, that when your assistance at his majesty's councils in this time of the most arduous and extensive deliberations there, must have been so necessary, you have seemed to consider the business of this kingdom as the principal object of your attention. Upon this account we think it almost superfluous to add our request, that your excellency would, on your return, represent us in the most favorable manner to his majesty, since our experience of your past conduct must sufficiently assure us of the continuance of the same good dispositions towards us, and as we are most firmly persuaded that your presence has not been more conducive to our safety now, than your influence will hereafter be to our prosperity.

* Doctor Maty has elegantly and concisely painted the halcyon hours of Lord Chesterfield's government. (*Señ. V.*) "As it was owing to the lord lieutenant's vigilance and resolution that the French and Spaniards did not attempt to land any troops in Ireland during the time of the rebellion, it was likewise an effect of his prudence and moderation, that the horrors of a civil war did not reach that country. Distinctions of parties seemed to be abolished, and animosities to be forgotten as well as prejudices and suspicions. Religion became what it ought to be, a bond of union instead of an instrument of discord; superstition was enlightened, and fanatics disarmed. Hence a phenomenon took place, not often beheld in times of tranquillity. Protestants and

The short administration of the Earl of Chesterfield furnishes reflections highly important to the welfare of the Irish nation. It was a practical demonstration of the utility of a system of lenity and liberality, not only to Ireland, but to the whole British empire. It was a conclusive evidence, that Great Britain well knew how at any time to ensure the happiness of her sister kingdom, though unwilling at most times to promote it. The danger of Great Britain drove her to do justice to Ireland for the few months during which that danger lasted; and her security brought with it repentance, at the momentary, though necessary interruption of the ancient system. It is lamentably remarkable how thriftily Great Britain dealt out this transient justice to Ireland, as if she counted reluctantly the hours of its enjoyment. On the 19th of August, 1745, the standard of rebellion was formally erected in the Highlands of Scotland: a courier was dispatched to hasten the return of the king, who was then in Hanover: he arrived in London before the end of August: and on the 31st day of August, the Earl of Chesterfield was appointed lord lieutenant and chief governor of the kingdom of Ireland. On the 16th of April, 1746, the defeat of the Pretender at Culloden by the Duke of Cumberland put an end to the rebellion; and on the ninth day after that event, Ireland was deprived of her favorite viceroy; for on the 25th of April, 1746, Primate Hoadley, Lord Chancellor Newport, and Mr. Boyle, the speaker of the House of Commons, were appointed lords justices, and vainly did Ireland sigh for the return of her short-lived felicity: Great Britain was out of danger: and Ireland could securely be put again under its former regime.* In order effectually to cut off all hopes of the return of Lord

“ Roman Catholics, natives and strangers, well-wishers and enemies to the Pretender, all alike influenced by the example of their benevolent governor, indulged, respected, and would have loved one another, if he had continued a longer time among them.

“ It is the province of history to perpetuate the transactions of an administration, which it will ever be the interest of future lord lieutenants to study and to imitate.”

* It appears to have been a fatality peculiar to Ireland, that her greatest civil blessings have been unexceptionably obtained under circumstances, that to say the least of them, deprived Great Britain of the merit of voluntary, cordial and gracious accession. Thus shall we have to note in proper time and order, the situation of Great Britain, when the independence of Ireland was recognized in 1782, which Mr. Burke observed, was the true revolution to the Irish, and when she became united with Great Britain. For the honor of the people of Great Britain, it were to be wished, that necessity had not forced, but reason and liberality had proffered the boon: yet that very necessity proves its excellency; and its excellency will ensure its continuance and success.

Chesterfield

Chesterfield to Ireland, on the 13th of September the Earl of Harrington was appointed the new lord lieutenant.

We are now arrived at that period of the Irish history at which Mr. Burke observed,* the English in Ireland began to be domiciliated, and to recollect that they had a country. The English interest at first by faint and almost insensible degrees, but at length openly and avowedly, became an *independent Irish interest*, full as independent as it could ever have been, if it had continued in the persons of the native Irish. The new lord lieutenant, when he met the parliament in October, 1747, particularly complimented them on his majesty's continuance of his paternal regard and affection to a *dutiful and loyal people*: and recommended a continuance of the same good conduct and vigilance, which, under God, had prevented the communication of so dangerous an infection (i. e. the Scotch Rebellion) to that kingdom.

A political question was about this time started in Ireland, and carried on with extraordinary virulence by the contending parties. Mr. Lucas, a medical gentleman from Corke, upon a vacancy having happened in the representation of the city of Dublin by the death of Sir James Sommerville, attracted the notice and secured the warmest support of the patriots of that day, by publicly attacking the abuses, that had lately prevailed in the elections of members for the city of Dublin, by which the commons were deprived of the power of choosing the city magistrates, and that power was placed in the Board of Aldermen, subject to the approbation of the lord lieutenant. The press teemed with letters, answers, replies, addresses, appeals, counter-appeals, and every engine, that could be employed to add rancor, sting, and fuel to the heats of the contending parties. It was no longer an electioneering squabble between two rival candidates: it became a trial of strength upon popular principles of civil liberty between the patriots and government. It kept the Protestants† of Ireland in a flame of civil discord for

* Letter to Lang. p. 45.

† It was natural, that the Irish Catholics, who were formally excluded from any active or passive representation in parliament, should be indifferent to those contests for civil rights, which could not end in admitting them to the enjoyment. The first periodical publication of Mr. Lucas was the *Censor*, against which Sir Richard Cox (under the title of Anthony Litten) wrote his appeal to the public, abusing Lucas (he was a Presbyterian) as an incendiary and a *Papist*; and treating the Catholic body of the Irish nation with the most contemptuous and rancorous hostility.

Against this Appeal of Sir Richard Cox, Mr. O'Connor wrote his *Counter-Appeal*, to shew, that

for several years. Mr. James Digges La Touche, who had formerly been an intimate friend of Mr. Lucas, and strongly united with him in political principles, on this occasion abandoned his former principles, and proposed himself as a candidate for the city of Dublin, in direct and violent opposition

so far from being addicted to slavish opinions, the Irish nation had, on the contrary, laboured long under a complication of evils resulting from licentiousness, and that it was their greatest political misfortune and the source of all their calamities, that the excess of liberty, which prevailed among them was not tempered by Aristocracy in such a manner as to afford a solid support to monarchy on the one side, and freedom on the other. This pamphlet was dated from the town of Londonderry, September 30th, 1749. It was written in a hasty manner, merely for the contest and passion of the day, and Mr. O'Connor never would acknowledge it to be his, until his correspondence with Reily, the editor, obliged him to acknowledge it.

"Your inflammatory counter-appeal (says Reily) has been roared about the streets here all this day, and so inflaming it is, that Walter Harris, the historian, told the printer (Kelburne) he would be summoned to the Bar of the House, and sent to Newgate; for that it is of a more dangerous tendency, than all Lucas's papers together. The best of it is, that Kelburne himself cannot guess at the author: some say it is Brooke, others Lucas himself; but let them guess on while you are safe. You must guard against all Sir Richard's friends, he is not only warm, but malicious against Lucas.

"Yours, &c. &c.

Dublin, October 10th, 1749.

"CIVICUS."

Mr. O'Connor to Civicus.

"Your hints are friendly, and demand my thanks, but I am by no means interested, nor is any of our unfortunate people in this affair of Lucas, into which we are dragged by violent and wanton malevolence; I have even some disgust to Lucas, on account of his Barber's letters; a true patriot would not have betrayed such malice to such unfortunate slaves as we. But those boasters, the Whigs, are in search of liberty, just as Herod was of Christ, to crush it in its infancy, and have all to themselves.

"Yours, &c. &c.

October 28th, 1749.

"C. O'CONNOR."

It is observable, notwithstanding Harris's menaces, that the most objectionable passage in the counter-appeal is this: "Can it at this time of day be a matter of doubt whether we Irish have a right to the laws and constitution of our fathers, or are we to live subject to the dictates of an incompatible legislation?"

The bugbear of Jacobitism, which was so successfully played in these bigoted times, rendered all publications favorable to Roman Catholics very dangerous to their authors; any thing that could tend to soften the rigor of the penal code was highly alarming, and every possible step was taken to prevent the governing party's granting the smallest degree of toleration to their Catholic countrymen.

to

to Mr. Lucas, then the popular idol of such of the nation, as took the liveliest concern in the politics of that day.

Mr. Charles Lucas had some years before attracted the notice of his fellow citizens by the strong powers of his mind, and the independent firmness of his public spirit: he had been some time before admitted to the public council. Here he resolved to exert himself in behalf of their privileges. The new rules framed in the reign of Charles the Second, by authority from a clause in the act of explanation, had, as in other corporate towns, changed the powers of the city corporation. To encrease the influence of the crown, among other innovations, they deprived the commons of the power of choosing the city magistrates, and placed it in the Board of Aldermen, subject in its exercise on each election to the approbation of the chief governor, and privy council. Of this injury Lucas loudly complained: but the law being absolute, could not be combated. Suspecting, however, that in other respects encroachments had been made on the rights of the citizens not justified by law, he examined the city charters, and searched diligently into the ancient records, by which he became convinced that his apprehensions were well founded. He published his discoveries, explained the evidence resulting from them, and encouraged the people to take the proper steps for obtaining redress. In consequence, a warm contest commenced betwixt the commons and aldermen in 1741, which continued the two succeeding years. Though the former struggled in vain to recover their lost privileges, the exertions of Lucas in every stage of the dispute, were strenuous and persevering. These services raised him so high in the esteem and confidence of his fellow citizens, that on the death of Sir James Sommerville, they encouraged him to declare himself a candidate to represent them in parliament. Ambitious of an office so flattering, which would give him an opportunity of exerting his abilities to the greatest advantage in the service not only of the city of Dublin, but of his country, he complied with their desire. His speeches to the several corporations on this occasion, which were bold, nervous, and animated, in favor of liberty, encreased their attachment to him. But a number of addresses to his fellow citizens, which he wrote and published, tended more effectually to encrease his popularity. In these, among other subjects, he considered distinctly the several branches of the constitution; pointed out to the electors of Dublin, and to the nation the privileges of Irishmen, and the various injuries they had sustained by the interference of the British legislature.

lature. The firmness and perspicuity of his manner, the popularity of his subject, and (perhaps) the justice of his arguments, alarmed the Irish government, which had been little used to such opposition. They determined to crush him by the hand of power.* For this purpose, certain passages the most obnoxious to the state, were collected from his publications, and made the foundation of a charge which was brought against him before parliament. The rights of the commons, which with particular attention he had laboured to vindicate and ascertain, had been one of the subjects of his free discussion. Instead of protecting him in reward of this service, and of his exertions in behalf of Ireland, the majority of that house listened to the charge, voted him an enemy to his country, and addressed the lord lieutenant to order him to be prosecuted by his majesty's attorney general. The hand of power was too prevailing: the favor of the public was not sufficient to defend him from the danger, by which he was threatened; therefore to avoid the impending storm, Mr. Lucas fled from Ireland. After he had spent some time in banishment, the turn of fortune placed him once more in an honorable situation. The exertions of his friends rose superior to the influence, by which he had been oppressed. Upon a new vacancy, he returned to Dublin, and was elected one of the representatives of that city in parliament. The same patriotic principles, and the same exertions in behalf of the constitution, for which he had been hitherto so remarkable, invariably distinguished his conduct in and out of parliament to the day of his death.

The spirit of civil freedom and constitutional independence had now become so prevalent in Ireland, that the English interest could no longer be kept up and carried on with that systematic and uncontrouled ease, with which it had been managed by Primate Boulter. Upon the death of Primate Hoadley who had succeeded Boulter in 1747, the person to whom this interest was committed was George Stone, then bishop of Derry, who on several occasions had signalized himself by a most determined opposition to the *Irish interest*: immediately upon his translation to the See of Armagh, he was put at the head of the commission, with the chancellor and speaker, as lords justices. This prelate was a man of talent, of a lofty and arrogant disposition; resolute

* Without troubling the reader with any of Mr. Lucas's writings or arguments, it may not be unfair to refer him to his general profession of political faith, by which he committed himself in his Address to the Earl of Harrington, on the 3d of October, 1749, which is to be seen in the Appendix, No. LVII.

and

and determined; and a thorough-paced courtier: he was wholly devoted to politics; and little attentive to his pastoral duties.* At the head of those, who

* The confusion of the spiritual and temporal powers must ever be attended with disadvantages to both. The prelate when in the cabinet, is as much out of his element, as the statesman in the pulpit. Primate Stone was lavish of favors to his creatures, and had therefore many supporters: but he was too haughty and dictatorial not to have many enemies. He was a man rather of mean birth: his grandfather had been gaoler at Winchester: and his perquisites in that situation had enabled his son, the primate's father, to become a banker: he was a non-juror, and his chief customers were the Jacobites. He was in the flower of youth when promoted to the primacy; a station to which none before him had been raised till in the decline of life. His person was uncommonly handsome; which procured him the appellation of *the beauty of Holiness*. It is not to be wondered at, that the rapid progress of this young ecclesiastic, through the dignities of his order, and who was now at the head of the church as well as of the state, should raise hatred and favor to an extraordinary degree. He was inordinate in his ambition, intemperate in his passions, and inexorable in his resentments. Like his predecessor Boulter, he was invested with the arduous charge of marshalling the *English interest*, or as the more specious phrase then was of *doing the king's* (but in fact the minister's) *business*. His entertainments and connections were suited to his youth; and however conducive he might render them to his ruling passion of ambition, they had all the attractions of the most voluptuous refinement. His courtesy, affability, and hospitality gained him many abettors in a country where those qualities are supereminently appreciated: and it is admitted on all hands, that his efforts to gain proselytes in parliament were indefatigable. Yet with all these advantages of nature and power, the number of his enemies is a strong presumption, that the charges of his enemies were not altogether groundless. For the honor of the English nation, of humanity and religion, I forbear to retail his enemies' account of his conduct. I take the less invidious side of the question, and submit his defence to the reader from an avowed encomiast, published in London, 1757, seven years before his death, which happened in 1765, when he was succeeded in the primacy by Dr. Robinson, afterwards created Lord Rokeby. (*Letter to the Duke of Bedford*, p. 12.) Speaking of a strong opponent of the primate's, the letter writer says: "Knowing, perhaps not intirely from his own experience, of what consequence the character of integrity and virtue is even to a statesman, he with great industry and secrecy spread about misrepresentations of the primate, as a man devoid of all principles of religion and honor; as a monster swayed by unnatural appetites. To the first of these charges, it must be confessed, the primate gave some countenance, by a conduct a little too free for a person at the head of the ecclesiastical body. Having had a liberal education himself, and having always lived with those who had, he could not confine himself within the narrow sphere of his profession. There was more foundation for the second than for any other part of the charge. He was not always as cautious in his promises as prudence required. Even when he did not promise, his answers, from a fear of offending, and a desire of uniting every body to him, were expressed in such a manner, as drew in the persons, to whom they were given, to guess at more than he meant. A practice often used by statesmen, but which seems as little agreeable to good policy, as it is to morality. Hence every body left him contented and assured of his friendship, receiving all his expressions

who opposed him, was his colleague in the commission Mr. Boyle the speaker of the House of Commons. The late Lord Clare has left us too faithful a portrait of this prelate, and has brought the consequences of his and the British cabinet's conduct in Ireland, to too close a bearing upon the Union, not to submit it to the reader in his own words.

* " After the treaty of Aix-la-Chappelle, the trade of this country had so
 " increased, that the hereditary revenue was amply sufficient for every pub-
 " lic service, and a considerable surplus remained in the exchequer, after
 " defraying every charge upon it; so that in effect the crown was little, if
 " at all dependant on parliament for support: and it is difficult to say how
 " long this oligarchy might have kept its ground, if the intrigues of the am-
 " bitious ecclesiastic, then at the head of the Irish church, had not laid the
 " foundation of party heat and animosities, which have long disturbed and
 " degraded our parliamentary proceedings. The great trial of strength be-
 " tween the primate and the then speaker of the House of Commons was
 " made in 1753, when a bill was proposed for applying the surplus then
 " in the exchequer to pay a public debt, which had been some time be-
 " fore contracted. The courtiers of that day ranged under the ecclesiastical
 " banner, contended that this surplus belonged to the crown; and, there-
 " fore, that the king's previous assent to its application ought to be signified
 " before the commons could appropriate it. The patriots,† ranged under
 " the

" expressions of kindness as so many absolute promises of what they solicited. It is not then very
 " extraordinary that he should be charged with many breaches of faith, and that the truth of those
 " aspersions on this head, with which he was so frequently bespattered, should be attested by many.
 " To the last abominable charge his virtue gave rise. Whether from a coldness in his constitution,
 " or what is more probable, out of respect to his ecclesiastical function, he totally abstained from
 " women. It was impossible, in a country which piques itself upon indispensable attachments to
 " the fair sex, that this should not be taken notice of, and become a general topic of conversation.
 " His enemies laid hold of this opportunity to blacken his character, with the imputation of a vice,
 " the more easily credited, by how much the more abominable; and to which some of his connec-
 " tions, for which people could not easily account, did not a little contribute."

* Speech, on the 10th of February, 1800, p. 27.

† True it is, that a very numerous party at this time ranged themselves under the appellation of patriots, but it follows not, that the views of many of them were truly patriotic: but as a standard of patriotism was then erected, and the victory was to be gained by numbers, it will readily be admitted, that too scrupulous a test of sincerity was not required of those, who offered to enlist under the banners of either party. Thus too frequently, alas, are private and mischievous projects effected
 under

“ the speaker’s banner, insisted that no such assent was necessary, and beat
 “ their political adversaries by a small majority. Heads of a bill for the ap-
 “ propriation passed the commons without taking notice of the king’s pre-
 “ vious assent to it. They were rejected by the crown, and the surplus was
 “ applied by the royal authority, without the intervention of parliament.
 “ But the commons took effectual care, that the question should not occur a
 “ second time, by appropriating every future surplus to their private use,
 “ under the specious pretence of local public improvements. Wind-mills
 “ and water-mills, and canals, and bridges, and spinning jennies, were pro-
 “ vided at the public expence; and the parliamentary patrons of these great
 “ national objects were entrusted with full discretionary powers over the
 “ money granted to complete them. From this system of local improvement,
 “ a double advantage arose to the Irish aristocracy: it kept their followers
 “ steady in the ranks, and by reducing the crown to the necessity of calling
 “ for the supplies, made the political services of the leaders necessary for the
 “ support of the king’s government. But the precedent was fatal, and a
 “ system has gradually been built upon it, which would beat down the most
 “ powerful nation of the earth.”

As one of the prominent objects of the Union was to remove the possibility
 of that mal-administration of the Irish government, which the noble earl said
would beat down the most powerful nation of the earth, it will be necessary to

under the disguise of patriotism: whence the very term has latterly lost its real, and acquired equi-
 vocal import. There is no question but that a certain party, whether they be termed an *opposition*,
antiministerial, *country party* or *patriots*, had acquired such an ascendancy in the House of Com-
 mons, that government could no longer ensure a question against them. The primate had kept on
 terms with many of them; but the management of the king’s business under such checks was in-
 compatible with the uncontrollable spirit of that prelate: he withdrew the mask, and openly avowed
 his intentions of carrying every measure of the British cabinet, which he speciously termed the
king’s business, with a high hand, in spite of all opposition. Open war was proclaimed between the
 contending parties, and a standard was erected by this aspiring prelate, to which all who expected
 preferment in church or state, or who were dissatisfied with their own party, were invited to resort.
 From subsequent events, the reports of certain disappointments amongst the patriots in their nego-
 ciations with the primate appear not to have been altogether groundless. Thus the blunt refusal
 of a reversionary grant of the Mastership of the Rolls to Mr. Carter’s son, drove the father into a
 most determined and vindictive opposition. The primate, from the age and infirmity of Mr. Car-
 ter, considered the reversion of that lucrative employment much nearer than it fell in; for the
 master of the rolls lived to see the success of his opposition to the primate end in that prelate’s dis-
 grace and confusion, though he did not succeed in his own private views.

enter more fully into the grounds of that opposition, which the patriots then made against the *English interest*. It had been the invariable usage, as it was the inherent duty of the commons, since the Revolution, to superintend the expenditure of the annual supplies which they raised; in order if there should be a deficiency, that they might supply it; if a surplus, that they might apply it to the credit of the nation: and the received notion was, that they had a right to dispose of such surplus of the revenue, without the consent of the sovereign: accordingly in the year 1749 they prepared a bill with the following preamble: "Whereas on the 25th of March last a considerable
 " balance remained in the hands of the vice-treasurers or receivers general
 " of the kingdom, or their deputy or deputies, unapplied; and it will be for
 " your majesty's service, and for the ease of your faithful subjects in this
 " kingdom, that so much thereof as can be conveniently spared should
 " be paid, agreeably to your majesty's most gracious intentions, in discharge
 " of part of the national debt." This assumption of right in the Irish commons to apply the unappropriated surplus of the revenue without the previous and express consent of the crown, gave great offence to the British cabinet, which in tenderness to the royal prerogative instructed the Duke of Dorset, who had returned lord lieutenant to Ireland in 1751, to assure the parliament, * that he was commanded by the king to acquaint them, that his majesty, ever attentive to the ease and happiness of his subjects, would graciously consent and recommend it to them, that such a part of the money then remaining in his treasury, as should be thought consistent with the public service, should be applied towards the further reduction of the national debt. This declaration, although it fell in with their intention of appropriating the surplus, yet alarmed the commons as a reflex attempt upon their privileges: accordingly in their address of thanks, which is usually a mere echo of the king's speech, they omitted to notice in any manner this consent of the crown; and they acknowledged, generally, his majesty's attention to their ease and happiness, in recommending the application of the surplus. In consequence of this, they resolved to apply 120,000*l.* of that surplus towards discharging the national debt: and in the preamble of the bill framed for this purpose they made no mention of his majesty's consent; which studied omission was extremely resented by the English ministry, as an intended and

* 5 Journ. Com. p. 91.

overt attack upon the prerogative. The bill was sent back amended in the preamble by an insertion of his majesty's consent, as well as his recommendation. The House of Commons had then been for some time deeply engaged in a most important investigation of the embezzlement and misapplication of public money, by Mr. Nevil, one of their own house, surveyor and engineer general, who was found guilty of the grossest peculation, embezzlement and fraud in his management of, and contracts for the barracks.* Such abuses of public trusts had been long complained of, and much longer felt by the Irish nation: but till the patriots of that day had acquired sufficient strength to raise an effectual opposition to the abuses of the Anglo-Irish government, all addresses, remonstrances, and efforts for redress had (as usually is the case) but aggravated the evil, whilst the state delinquents were shielded by that factitious majority in parliament, which it was the boasted policy of those times to support, under the appellation of an *English interest*. An insult and injury to Ireland which the Union can alone effectually repair. As this public attack upon a servant of the crown for gross abuse of public trust was the first effort of this nature, which seemed to promise success from the daily accumulating strength of the patriots and the glaring notoriety of the charges, the commons were unwilling to embroil themselves further with government, until they had ensured this first victory. They therefore passed the bill with the alteration, without even debating the question. Having succeeded in convicting the surveyor and engineer general of misapplying the public money and abusing the public trust, and ordering by a resolution of their house, that at his own expence,† and without any further charge to the public, he should render the barracks fit for the reception of the troops, they now reserved themselves to make head against this encroachment of the crown upon their own privileges and uncontrollable right of raising and applying the surplus of the nation.

The Duke of Dorset was sent a second time to assume the government of Ireland, in the full expectation, that the popularity he had gained in his first administration, would have been successfully employed in stemming the progress of patriotism, which not perhaps so much from its intrinsic merits, as from the popularity of Lucas, and the disgrace and punishment of Nevil,

* For the different reports and resolutions against him vide 5 Com. Journ. passim.

† Mr. Nevil was afterwards expelled the house, and his name ordered to be expelled out of the list. 5 Journ. Com. p. 165.

had

had become highly alarming to the English cabinet. The fate of that lord lieutenant, is an important lesson to the statesman, of the evil and disgrace of prostituting principle to place and favor. That nobleman was remarkable for his suavity of manners, and when formerly governor, had manifested such moderation, prudence, and caution, that nearly bordered upon timidity. He had no personal enemy, and was really friendly to the welfare and prosperity of Ireland. Upon his first arrival, he was received by all degrees and ranks of men, with all the marks of joy and gratitude, that could be manifested by those, who had experienced the goodness and mildness of his former administration, and who had long regretted his absence. The change of the public disposition towards his grace was as sudden, as his devotion to the *English interest* was determined. Primate Stone, to whose nod the whole Irish government moved, was execrated in the country for the detestable vices he was charged with: and Lord George Sackville the lieutenant's son, the secretary, gave general offence to the nation by the loftiness of his carriage: he was disdainful and impetuous: and though eloquent was often petulant and generally sarcastic in his language. The patriots complained loudly, that under these two, namely, an English archbishop, (no very staunch model of morality or virtue) and a young supercilious boy, giddy and intoxicated with power, the Irish nation was governed without controul.* The duke was considered as the mere passive tool of government; though he had no enemies to his person, he now found a host against his government.

When in 1753, the Duke of Dorset opened the session, he again informed

* How general the national hatred of the secretary and the primate was, appears from some of the standing toasts at that time used at the convivial meetings of the patriots: *May all Secretary Bishops and lordly High Priests, be kept to their tackle, the sword and the Bible. And may the importation of Ganymedes be discontinued in Ireland.* These fixed public expressions of the sense of a party, prove not the truth but the prevalence of certain opinions, under which they acted. In a country where the vice of drinking has at all times been prevalent, and is the occupation of a principal part of the day, these convivial hours were naturally rendered subservient to the political purposes, which generally brought the parties together. Mr. Carter, the master of the rolls, was eminent for his perseverance at the bottle, and keeping the table in a roar of laughter by his archness, vivacity, and wit. To him indeed was ascribed the facetious device of systematically conveying point and satire in toasts, which afterwards gained circulation through the newspapers, and found their way to the heart by being frequently repeated in the effervescence of hilarity and heat of intemperance. Thus did the most pointed apophthegms of politics, unite the company and sharpen the wit and malice of individuals against their common enemy.

the commons, that he was commanded by his majesty to inform them, that he would graciously consent and recommend it to them, that so much of the money remaining in his treasury, as should be necessary, should be applied to the discharge of the national debt, or to such part thereof as they should think expedient.* They again omitted the word *consent* out of their address, and resolved, in their bill of application, not only to sink this odious term, but likewise to abate in their complaisance to the crown, by leaving out the expression of grateful acknowledgement, which had met with such a cold reception above. By this time the contest had kindled up two violent factions, and diffused a general spirit of resentment through the whole Irish nation. The committee, who prepared the bill, instead of inserting the usual compliments in the preamble, mentioned nothing but a recital of facts, and sent it over in a plain dress, quite destitute of all embroidery.† The ministry, intent

* 5 Journ. Com. p. 167.

† The primate upon this occasion, summoned a few of his most intimate friends, to consult what step should be taken. The only doubt was, whether an amendment on these heads of a bill, should be proposed to the house upon the report, or whether they should be permitted to pass in the shape they were brought in, and the alteration of them left to be made in England: the latter of these methods was resolved on, and followed up on this reasoning: if the bill when altered in England, should upon its return be passed by the commons, the patriots must inevitably lose their interest with the people: if they should oppose it, that would be a good pretence to deprive them of their employments, which they held at the will of the crown, and of which the primate hoped to have the disposal. To make the game more secure, and to engage the crown more deeply in the contest, a letter was procured to accompany the bill to the privy council, signed by most of the officers of state in Great Britain, declaring, that it was a point of prerogative, from whence his majesty would never depart. As councils too subtil often produce contrary and unthought of ends, so this, though it had the immediate effects, which had been foreseen, yet in the end it produced very different consequences from what he who gave it expected. The bill was rejected in the commons by a majority of five, in consequence of which, several of the principal members of the patriots were immediately removed from their employments: at these violent proceedings the whole nation took fire. The degraded members of the patriots exalted by their disgrace, became the idols of the people, and were worshipped as Martyrs for the liberties of their country. In this temper it was hazardous to let the commons, who had been adjourned for a few days, meet. The parliament was suddenly prorogued, and several bills equally necessary to the crown as to the subject, fell to the ground. The primate who was considered as the author of all these measures, despairing to gain the affections of the people, determined to awe them into submission by others still more violent: he urged the Duke of Dorset to remove from their employments not only all, who opposed him, but those, whom

intent upon vindicating the prerogative from such an unmannerly attack, filled up the omissions of the committee, and sent it back with this alteration: "and your majesty, ever attentive to the ease and happiness of your faithful subjects, has been graciously pleased to signify that *you would consent*, to recommend it to us, that so much of the money remaining in your majesty's treasury, as should be necessary, be applied to the discharge of the national debt, or such part thereof, as should be thought expedient by parliament." This, then being the crisis, which was to determine a constitutional point of such importance, namely, whether the people in parliament assembled, had a right to deliberate upon, and vote the application of any part of the unappropriated revenue, without the previous consent of the crown; those who were the most zealously attached to the liberties of their country resolved to exert themselves in opposing what they conceived to be a violation of their liberties; and the bill, with alterations, was rejected by a majority of five voices. The success of their endeavours was celebrated with the most extravagant rejoicings, as a triumph of patriotism over the arts of ministerial corruption, and on the other hand, all the servants of the crown, who had joined the popular cry, on this occasion, were in a little time dismissed from their employments. The rejection of the bill was a great disappointment to the creditors of the public, and the circulation of cash was almost stagnated.

In this contest for constitutional rights, the Earl of Kildare was promi-

whom he suspected to have any connection with the opposite party. But the duke had not the courage or vigor of mind, equal to such an undertaking. He dreaded the tumults of the people; every shout of the mob threw him into panics; and this being known, they never let him rest a moment. However for the present to rid himself of importunities, he promised the primate, that upon his return to England, which he wished for with the utmost impatience, he would do every thing he could desire. The Duke of Dorset soon after this, under the protection of the guards and of a mob hired and made drunk for the purpose, by a man who was amply rewarded for that service by a pension on the public establishment, made his escape out of that kingdom. The primate, who was continued in the government, employed every expedient of menaces and promises to break the party. Threats could not terrify those, who had so bold an example set before them by their leaders, and who were secure of the protection of the people. Rewards would not seduce those, who foresaw the downfall of the primate, and were made to expect much greater, and more permanent rewards from the exaltation of the patriots, which they now looked upon as certain. But what principally kept men steady, was the disgrace of becoming apostates from those principles, which they had before considered with a kind of religious reverence.

nently

nently conspicuous: he as well as the most considerable men of fortune in Ireland, that were not under some special tie or obligation to government, sided with the patriots. It was, notwithstanding, most industriously circulated from the castle, both in print and otherwise, that the majority of the House of Commons of Ireland was a *Popish and Jacobite* party, that was endeavouring to destroy the royal prerogatives, in order to pave the way to his majesty's expulsion from the throne: and such undoubtedly were they represented to the king and the ministry in England. Under these circumstances, the Earl of Kildare presented with his own hand a most spirited memorial* to the king, in which, after referring to the hereditary loyalty of his family from the days of Henry II. he assured his majesty, that he was the rather induced to lay that memorial at his feet, as it was on good presumption surmised, that all access to his royal ear was shut up, and his liege subjects debarred the liberty of complaining: that as no notice had been taken of several remonstrances lately made by his majesty's liege subjects, it was humbly presumed, that such remonstrances had been stopped and debarred in their progress to the royal ear: that he ventured on that bold step at the request of thousands: that in general the face of his loyal kingdom of Ireland wore discontent: a discontent not colored from caprice or faction, but purely founded on ministerial misapplication. This strong, though necessary measure of the Earl of Kildare gave great offence and some alarm to the British cabinet, though they affected to treat it as an act of folly and temerity, which nothing but the extreme mildness of government would permit to pass unpunished.†

The

* Vide the memorial in the Appendix, No. LVIII.

† This appears from a letter written by the Earl of Holderness to the Chancellor of Ireland.

MY GOOD LORD CHANCELLOR,

I AM not a little concerned that the noble Earl of Kildare should take so bold a step as he may repent hereafter, and do assure you that I think he has not shewn himself a person of discretion, be the act never so popular.

He was but ill received, and very coolly dismissed, as indeed the presumption well merited; for why should his majesty receive any remonstrances concerning his kingdom or government, but from the proper ministers, or through the usual channel, viz. both houses in parliament. I desire my compliments may attend his grace the Lord Primate, and wish him success in all laudable endeavours for poor Ireland.

I am

Your excellency's most obedient servant,

HOLDERNESS.

R R

Another

The distressed and embarrassed situation of his country roused the patriot attention of that illustrious nobleman, who truly reflected honor on nobility: his intrepidity suggested the resolution of awakening the guardian care of *the father of his country*, by becoming a personal advocate for his people, pointing out their grievances, and the source of them, and opening again the channel of communication, after its natural current had been obstructed, on which the very life and being of public happiness essentially depend. If it were without a precedent, so was the occasion, that made it necessary. The good of his country was at once its motive and its justification; and the rage and violence it excited evinced how great and unexpected a shock it was to the *English interest*. It did not however lose its effect upon the king. The popular clamor became so loud, that government was terrified into measures, to which every man will apply a quality according to his own political conceptions. The speaker of the House of Commons was promoted to the dignity of an earl*: and several other patriots accepted of lucrative employments.

Another letter upon the same subject came to light about the same time, written by the Duke of Dorset to Primate Stone, viz.

Touching the Earl of Kildare's memorial presented to the king my master, it has neither served him, nor injured us. It is looked upon, as it justly deserves to be, an act of presumption, and a step of faction. In a less mild administration, and under a reign less merciful, it would have proved an act full of danger.

If the subjects of Ireland were discontented with the measures of government, was not the privy council open to receive the complaints? were not your excellencies accessible to complaints of grievances? but for one man, because the first peer of the realm, to take the kingdom's distresses on his shoulders, and like another Hercules, to put his shoulders to the government, in which he had neither place nor concern, was sure unworthy of his prudence, if he had any. I am nor for hot water, my design is pacific, and tending to the public good,

I am

Your lordship's friend,

DORSET.

* Viz. Of Shannon: he had also a pension of 2000*l.* per ann. for 31 years. There was much intrigue in bringing about these changes in Ireland. The Primate was over-reached by his own insincerity and ambition. He had promised the same appointments to several with the intent of disappointing each. He entered into a close connection with the Earl of Besborough, who had long wished, but had been baffled by the patriots, in setting up an independent interest in the commons: his particular view was to place his son Mr. Ponsonby, in the chair. In this union of the Primate with the Earl of Besborough, the principles of each were, that the earl thinking the primate to be more attentive to power than to riches, fed himself with the hopes of drawing the profits

ments. Primate Stone, who had been the chief fomentor of the late disturbances, was by his majesty's command stricken off the list of privy counsellors

profits to himself: the primate, inordinately ambitious, made no doubt of governing the youthful speaker, and so bringing the whole power of the state into his own hands. Despairing of the speaker's removal, the Primate endeavoured to force him to a resignation by rendering his situation uneasy: this also failed, and made him rally his friends in his own support, which raised him above the efforts of his enemies to displace him. The speaker in fact was a deeper politician than the primate. The simplicity and unaffected ease of his address and a natural politeness of manner rendered him amiable even to his opponents. In appearance he was most open, in reality most reserved: he had the art of extracting the secrets of others, and of preserving his own without any shew of art or constraint. He had been raised to the chair and supported in it by the people, at least without the assistance, if not in opposition to the government. He had shewn much firmness in resisting attacks upon him in carrying matters through the house, and had had the uncommon address of preserving his popularity even in supporting unpopular acts. The English cabinet alarmed at the disturbances in Ireland resolved to sacrifice the Duke of Dorset to their fears; and his successor, Lord Hartington, was appointed through the means of Mr. Fox (afterwards Lord Holland) then secretary of state, who was known to be in the closest union with the Earl of Kildare. The sagacity and experience of the Earl of Besborough led him to foresee the approaching downfall of the primate, and to avail himself of the advantages of his situation whilst he could keep it: so that to the very close of this prelate's career of power, all the new appointments were made with their joint assent. Nothing could be more favorable to the political views of this earl, than the appointment of the new lord lieutenant; through him he hoped to reconcile himself to the patriots, whom he had greatly offended by his coalition with the primate; and through them he expected to place his son in the chair of the House of Commons. Before the new lord lieutenant had arrived in Ireland, a secret treaty was entered into between him and the two leading patriots (Mr. Malone and the speaker) through the Earl of Kildare: and to this treaty the Earl of Besborough was not only admitted but consenting. The new lord lieutenant immediately upon his arrival expressed the most gracious favor to all those, who had most violently opposed his predecessor: and the conduct of the whole administration appeared for some time mysterious. The patriots talked loudly of impeachments and expulsions; and the primate, whose chief supporters were placemen and pensioners, found himself necessitated to adopt all the measures of the lord lieutenant, which he did with more zeal, than some thought either necessary or prudent. Each party for obvious reasons appeared fearful of opposition. The primate was intimidated out of the violent measures, which his imperious and vindictive nature prompted him to: and the patriots naturally held back, till their new arrangements were announced. Besides the promotion of Mr. Boyle to the Earldom of Shannon, Mr. Ponsonby was elected speaker without opposition; Mr. Malone was to succeed Mr. Boyle in the chancellorship of the exchequer; Mr. Carter having been induced to accept of the secretaryship; but the outcry of the people against him, and particularly of his own connections, forced him to decline it. This however turned to his advantage, for Mr. Boyle (then Earl of Shannon) continued in the office, and Mr. Malone received the profits. This did not restore Mr. Malone to the

lors, and most of those, who, by his intrigues had been displaced for voting for the money bill, were reinstated with honor. The Marquis of Hartington, afterwards Duke of Devonshire, went over as lord lieutenant: upon his return to England in 1756, Lord Chancellor Jocelyn and the Earls of Kildare and Besborough were appointed lords justices. Much of the popular ferment now subsided, and the kingdom once more resumed the appearance of tranquillity.

Loud as was the cry of patriotism, firm as was the stand made by the patriots of 1753 against the encroachments of an English interest, and strengthened as were supposed to be the constitutional principles of civil liberty by the late appointments, yet lamentable is it to reflect, that when the boasted purity of these very patriots was called into action by some of the few *sincere* supporters of the party, the majority of them became as recreant from the cause of civil freedom and legislative independence as the most venal prostitute to systematic corruption. On the 17th of March, 1756, the House of

favor of the people, though it suspended their resentment against him. Mr. Stannard, a man in high favor with the people, had been induced to undergo the odium of succeeding Mr. Malone as prime serjeant, by being told that his majesty had himself nominated him to that office, and had begged that he would accept of it *to oblige him*. It was now too late in the session to form a party to make head against the united force of so many chiefs; yet many symptoms appeared of growing discontents: some sharp things were thrown out against the lord lieutenant; alarmed at the symptoms of a rising storm, he resolved to leave no time for mischief, and abruptly put an end to the session at the moment it was expected, that the commons were about to pass a resolution to vindicate the honor of the nation.

The patriots had the support of the whole body of the Presbyterians, from their natural antipathy to prelacy, not only in order to oppose the influence of the primate, but also to crush the unnatural ascendancy of an English interest in Ireland. And such of the Catholics as took an active concern in the politics of the day sided also with them through the influence of Mr. Malone, who was the most respected and most entrusted by their body of any person in that kingdom. He moderated their councils, and had publicly supported their interest, whenever occasion required it. This species of coalition between the Dissenters and the Roman Catholics gave unusual alarm to the primate: in it he fully read the future triumph of the *Irish* over the *English* interest, by the union of the Irish people amongst themselves: and the Duke of Devonshire, whose enlarged principles had overlooked the flinted monopoly of English power in Ireland, kept up so systematically by his predecessor, in his farewell speech to the parliament, no longer confined his recommendations to an union, between Irish Protestants against the common enemy; but he (*5 Com. Journ. p. 409.*) *encouraged harmony and union amongst all his majesty's faithful subjects*. The laudable views of the new changes and coalition were to engage the natural influence of Ireland in the cause of fair civil liberty upon true constitutional grounds.

Commons

Commons according to order resolved itself into a committee of the whole house, to take into consideration the heads of a most wholesome bill to secure the freedom of parliament, by vacating the seats of such members of the House of Commons, as should accept of any pension or civil office of profit from the crown: and after some time spent therein, upon the report of progress, and motion for leave to sit again on the next day, the house divided, 59 for the bill, and 85 against it. This was a fatal warning to the Irish nation, against the lubricity of their representatives, whenever their private interest could interfere with the national welfare and prosperity.* The loss of this truly patriotic question too closely bears upon the general system of governing that kingdom, not to enter more fully into the detail of that transaction in order to illustrate to the Irish nation the advantages, which the Union must necessarily bring with it, by abolishing that power, which had on so many occasions sacrificed the rights, welfare, and happiness of the Irish nation to private lucre or British influence.

The patriots however rallied once more successfully upon a most important question, namely, whether the great representative body of the nation should be deprived of access to the throne by any ministerial influence, through which channel the petitions and grievances of the nation are most properly laid before the throne? The steadiness and resolution of the majority, who attended the business of their country on this occasion, and particularly the firm zeal of Mr. John Ponsonby, the speaker, cannot be over-rated. Like true and sincere patriots, they immoveably supported the just prerogatives of the crown, the dignity and privileges of parliament, and the liberties and known rights of the people.

† Mr. John Bourke reported from the committee (appointed to inspect the

* 3 Journ. Com. p. 88. On the day of this debate a list of the pensions granted upon the civil establishment of Ireland was according to order given in to the house: it amounted to 44,393*l.* 15*s.* and is to be seen in the Appendix to that volume of the Journals CCXCVI. In this list of pensioners are to be read many of the first names of Ireland, many foreigners, few or no meritorious servants of the public; the Countess of Yarmouth stood upon it for 4000*l.* Mr. Bellingham Boyle had been added to it within twelve months for 800*l.* during pleasure, and the Earl of Shannon closed it for 2000*l.* The constitution, by lodging the source of remuneration in the crown, evidently did it for the wise purpose of encouraging zeal and industry for the public service: and the consideration of the royal favor and grace should always form a distinct column in the official schedules of such grants.

† 6 Journ. Com. p. 21.

public accounts of the nation) the resolutions, which the committee had directed him to report to the house, which he read in his place, and afterwards delivered in at the table, where the same were read, and are as follows:

Resolved, That it is the opinion of this committee, that the several pensions and salaries placed upon the civil establishment of this kingdom since the 23d of March 1755, amount to the annual sum of twenty eight thousand one hundred and three pounds.

Resolved, That it is the opinion of this committee, that several of the said pensions are granted to persons who do not reside in this kingdom.

Resolved, That it is the opinion of this committee, that several of the said pensions are granted for long and unusual terms.

Resolved, That it is the opinion of this committee, that the list of pensions returned as a charge upon this establishment (exclusive of the military pensions) for two years, from the 25th of March 1755, to the 25th of March 1757, exceed the whole charges of the rest of the civil list twenty two thousand two hundred and fifty eight pounds, four shillings and seven pence three farthings.

Resolved, That it is the opinion of this committee, that an improvident disposition of the revenue is an injury to the crown and public.

To which resolutions, the questions being severally put, the house did agree *nemine contradicente*.

Resolved, nemine contradicente, That the granting of pensions upon the civil establishment of this kingdom to persons who do not reside in it, is a prejudice to it.

Resolved, nemine contradicente, That the increase of civil pensions for many years past, is a grievance to the nation, and demands redress.

Resolved, nemine contradicente, That the granting of pensions for a long term of years, is an alienation for so much of the public revenue, and an injury to the crown and this kingdom.

Resolved, nemine contradicente, That the granting of so much of the public revenue in pensions, is an improvident disposition of the revenue, an injury to the crown, and detrimental to the public.

Resolved, That the house, with its speaker, do attend his grace the lord lieutenant, with the said resolutions, and desire his grace will be pleased to lay the same before his majesty as the sense of this house.

On the 9th, application was made to know when his grace the lord lieutenant would be attended in order to give an answer, when he would transmit the

the resolutions to be laid before his majesty, pursuant to the desire of the house.

On the 11th, Mr. Secretary acquainted the house, that his grace would be attended the day following, at two of the clock.

The 12th, the house with Mr. Speaker attended the lord lieutenant, who was pleased to give them the following answer, viz.

“ The matter contained in those resolutions is of so high a nature, that I cannot suddenly determine whether it be proper for me to transmit them to his majesty.” On the speaker’s return, the answer being reported, Mr. Secretary moved, that the same should be entered in the journal of the house as explicit and satisfactory; and being debated, and the question put, Mr. Secretary apprehending the majority against the motion, desired leave to withdraw it, which prevented a division at that time.

On the 14th, the house being met, a motion was made, that all orders, not proceeded on, should be adjourned to the next day, the house not having received an answer from the lord lieutenant relative to transmitting the resolutions of the Commons on the 1st of November, in respect to pensioners.

Here the grand debate arose, as those who declared for the adjournment were for supporting the resolutions, to have them laid before his majesty, and those who were for suppressing the resolutions, and preventing national grievances being laid before the throne, were against the adjournment, the fate of which was, in fact, a determination of the main question, which was of no less importance in its consequences, than whether the people of Ireland were to be deprived of the parliamentary means of laying their grievances before the crown? and the question being put, upon a division, those for the adjournment carried it by a majority of twenty-one voices.

In consequence of the foregoing question, on the 15th Mr. Secretary Rigby informed the house, that he was commanded by his grace the lord lieutenant to acquaint the house, that their resolutions of the 1st of November should be forthwith transmitted to his majesty.

Had not this message been delivered to the house, serious indeed might have been the consequences; but the instant it was received the house proceeded to business; and the money bill, granting supplies to his majesty, passed unanimously on the same day. * Happy would it have been for Ireland,

* As matter of historical curiosity a list of the gentlemen who divided upon these resolutions is given in the Appendix, No. LIX.

had these resolutions of the commons been acted up to, with the effect they certainly merited.

The Duke of Bedford was appointed to be lord lieutenant of Ireland in the year 1757: and it is fitting to remark, that he was the first chief governor of Ireland, since the revolution, who ventured to profess a favorable disposition to the body of Catholics:* under his government did the first dawn of toleration break in upon that suffering people: to his administration must be allowed the credit of having restored suspended animation to the members of that paralyzed body, which has since acquired such health, vigor, and strength of constitution under the benign reign of his present majesty. Several Roman Catholic gentlemen had about that time devoted their thoughts to the most effectual means of removing from their shoulders some part at least of the oppression, under which they laboured. Heads of a registry bill, prepared under the late administration of Ireland, which, had it passed, would have operated as a new and very severe penal law upon the Catholics, were handed about and created much alarm in that body.† Their fears drove them to consultation, and consultation animated them to action: a common sense of the existing and fear of additional severities taught them, that the surest means of preventing fresh laws from being enacted would be to make some vigorous exertion for the repeal of those, by which they were most galled. They held frequent meetings, in which there was much diversity of opinion. It was natural, that long habits of suffering and the exclusion from all public concerns, should disqualify such a body from acting in concert. They formed into two parties: one was headed by Lord Trimbleton, the other by Doctor Fitzsimon. Although neither party could for a considerable time bring themselves to agree to the expediency of addresses or appeals, they were both unanimous in adhering

* He was appointed lord lieutenant on the 25th of September, and had so early intimated this humane disposition of government towards the Catholics, that within ten days, viz. on the 2d of October 1757, a form of exhortation was read from the altar by the Catholic clergy of Dublin, which noticed that some very honorable personages had encouraged them to hope for a mitigation of the penal laws. The whole is short, but appropriate to the situation of their congregations, and is to be seen in the Appendix, No. LX.

† Mr. Charles O'Connor of Ballenagare, the celebrated Irish scholar and antiquarian, was one of the most active of the Catholics. His letter to Dr. Curry on this occasion, which is to be seen in the Appendix, No. LXI, will let the reader into the spirit of the sense and feeling of the gentlemen of that persuasion at that period of time.

to their ancient principles. Doctor O'Keefe, the titular bishop of Kildare, proposed to Lord Trimbleston's meeting a declaration of the principles of their church, as far as they could bear upon their civil duties, to be signed by the chief of their body, and published as an answer to the misrepresentations and calumnies they had laboured under since the reformation of the national religion: the declaration was unanimously adopted; it was signed by many clergymen and gentlemen of rank and property, and sent to Rome as the act and deed of the Catholics of his diocese.* This was the first public act of the Catholics for obtaining some relaxation from the penal laws. In this same year, however, Mr. O'Connor, Dr. Curry, and Mr. Wyse of Waterford first thought of establishing a Roman Catholic committee in Dublin, in order to be able to conduct the political concerns of the body with more order and effect near the seat of government; and their first meeting, at which only seven gentlemen attended, was holden at the Globe Tavern in Essex Street; and there Mr. Wyse delivered in a written plan for their future proceedings.† These movements of the Catholics awakened the

* This declaration is to be seen in the Appendix, No. LXI. And it will be hereafter remembered that it was the same as that of the Catholic committee of 1793, which Mr. George Ponsonby so highly commended in his speech upon the Catholic question.

† At this meeting were present Mr. O'Connor, Mr. Wyse, Dr. Jennings, Mr. Anthony Macdermott, Mr. James Reynolds of Ashe street, and one more. This proposal which is still in existence in the hand writing of Mr. Wyse is to be seen in the Appendix, No. LXII. The original is in the possession of Mr. O'Connor's grandson, together with a large collection of letters and papers relating to the affairs of the Roman Catholics of Ireland. The representatives thus appointed adopted the measure proposed to them by Doctor Curry and Mr. O'Connor, of employing the most leading literary men of the day to write in favor of Catholic claims, and among others, the celebrated Dr. Johnson, who, as appears from G. Faulkner's letters, often spoke of the Roman Catholics as an oppressed and degraded people, for whom humanity loudly demanded that something should be done to elevate them to the dignity of human nature. There is a letter in the same collection from Faulkner to Dr. Jennings engaging him to write pressingly to Mr. O'Connor to collect fifty guineas among his friends to send as a douceur to Dr. Johnson, with an abstract of the penal laws, and Mr. O'Connor's own writings on the subject. "I send the doctor my last javelin, (says Mr. O'Connor, speaking of his maxims in reply to Jennings) but I fear I have thrown it in vain; men in power will not be convinced, there is an obstinacy yoked with pride in this case, and a phantom of hatred stalks behind to cement the league between them. I am glad however that I threw it, as Doctor Johnson will see, that a negative on the plan relative to our waste lands, will render our task-masters inexcusable; it will shew that they persecute merely for the sake of persecution, and that the injury they do us in not granting us leases of the red bogs of Ireland falls ultimately on themselves." Why Doctor Johnson did not undertake the task proposed in favor of the claims of the Irish Catholics, after having spoken so favorably of them, does not appear.

vigilance of government, and occasioned a more rigorous execution of the penal laws, which terrified the Catholics more, by how much more mildly they had lately been executed. A private occurrence in the next year gave rise to much public menace, and some additional severity in executing the laws. A young lady of the name of Toole, who was strongly importuned by her friends to conform to the established religion, had taken refuge in the house of a Mr. Saul, a merchant in Dublin, in order to get rid of their importunities. The affair was taken up with a high hand; Mr. Saul was prosecuted; and he was publicly assured from the bench, *that the laws did not presume a Papist to exist in the kingdom, nor could they breathe without the connivance of government.** The publication of Dr. Curry's *Historical Memoirs of the Irish Rebellion of 1641*† though anonymously, in the year 1759, still further awakened the attention of all, and the rigor of many towards the Catholics. So little at that time was the public accustomed to publications favorable to the Catholics, that the book created a considerable ferment in the nation, and gave great offence to most of the Protestants: it appeared at first to counteract its own object by irritating rather than reconciling the minds of men.

On the 29th day of October, 1759, the Duke of Bedford delivered a message to the parliament to the following effect:—That by a letter from Mr. Secretary Pitt, written by his majesty's express command, it appeared that France, far from resigning her plan of invasion, on account of the disaster that befel her Toulon squadron, was more and more confirmed in her purpose, and even instigated by despair itself to attempt at all hazards the only resource she seemed to have left for thwarting, by a diversion at home, the measures

* Mr. Saul's letter to Mr. O'Connor upon this subject, dated November the 15th, 1759, gives an interesting account of this transaction, and of its consequences to Mr. Saul, whom it drove out of the kingdom. His family has been ever since settled in France. Vide Appendix, No. LXIII. The original is in Mr. O'Connor's collection.

† The Memoirs were published with the utmost secrecy and caution. The motives and reasons for their publication will best appear from the correspondence between Dr. Curry and Mr. O'Connor upon the subject, in the Appendix, No. LXIV. The original letters being in the before mentioned collection. Although these memoirs were no more than a mere compilation of original and authentic documents, all from Protestant authors, yet the compiler of them, when he came to be known, was exposed to a torrent of the most virulent abuse and invective. The probability or even certainty that truth will be ill received, is no just excuse for suppressing it; especially when its publication becomes an act of justice to an individual and much more so to a nation.

of England abroad, in prosecuting a war, which hitherto opened in all parts of the world so unfavourable a prospect to the views of French ambition: that in case the body of French troops, amounting to eighteen thousand men, under the command of the Duke d'Aiguillon, assembled at Vannes, where also a sufficient number of transports was prepared, should be able to elude the British squadron, Ireland would in all probability be one of their chief objects; his grace thought it therefore incumbent upon him, in a matter of such high importance to the welfare of that kingdom, to communicate this intelligence to the Irish parliament. He told them his majesty would make no doubt but that the zeal of his faithful Protestant subjects in that kingdom had been already sufficiently quickened by the repeated accounts of the enemies dangerous designs, and actual preparations made, at a vast expence, in order to invade the several parts of the British dominions. He gave them to understand he had received his sovereign's commands to use his utmost endeavours to animate and excite his loyal people of Ireland to exert their well known zeal and spirit in support of his majesty's government, and in defence of all that was dear to them, by timely preparation to resist and frustrate any attempts of the enemy to disturb the quiet and shake the security of that kingdom. He, therefore, in the strongest manner recommended it to them to manifest, upon this occasion, that zeal for the present happy establishment, and that affection for his majesty's person and government, by which the parliament of that kingdom had been so often distinguished. Immediately after this message was communicated, the House of Commons unanimously resolved to present an address to the lord lieutenant; thanking his grace for the care and concern he had shown for the safety of Ireland, in having imparted intelligence of so great importance; desiring him to make use of such means, as should appear to him the most effectual for the security and defence of that kingdom; and assuring him, that the house would make good whatever expence should be necessarily incurred for that purpose. That however they might despise the attempt, yet should they not omit to pursue the most speedy and effectual means to frustrate and defeat it: and to convince the world, that his majesty's faithful people of Ireland were subjects not unworthy of their glorious monarch. This intimation, and the steps that were taken in consequence of it for the defence of Ireland, produced such apprehensions and distractions among the people of that kingdom, as had nearly proved fatal to the public credit. In the first transports of popular

pular fear, there was such an extraordinary run upon the banks of Dublin, that several considerable bankers were obliged to stop payment; and the circulation was in danger of being suddenly stagnated, when the lord lieutenant, the members of both houses of parliament, the lord mayor, aldermen, merchants, and principal traders of Dublin engaged in an association to support public credit, by taking the notes of bankers in payment; a resolution which effectually answered the purpose intended.

Amongst other delusive motives, which at this time actuated the unwise councils of Versailles, in hazarding this rash invasion of Ireland, were the false hopes holden out to them by some of the expatriated Irish in the service of France, that an invading army would have been immediately joined by the physical force of the country. That the bulk of the nation was discontented with the government, sore at being excluded from their native rights of citizens, and eager for an opportunity of retaliating upon their oppressors nearly two centuries of persecution and slavery for the sake of their religion. The conduct of the Catholics on this, as on every former occasion of alarm or danger to the establishment, was that of the most exemplary firmness to principle and duty. On the earliest alarm of the intended invasion of Conflans, Mr. O'Connor and Dr. Curry called a meeting of the Catholic committee for the purpose of making a tender of their allegiance in times of danger, as well as in times of peace. Mr. O'Connor drew up the form of an address, which was unanimously approved of. It was dated 1st of December, 1759; and on the ensuing day at a meeting of the most respectable merchants in Dublin it was signed by about 300 persons. Mr. Anthony M'Dermott and Mr. John Crump presented it to Mr. John Ponsonby, the speaker of the House of Commons, to be presented by him to the lord lieutenant. Mr. Ponsonby received it without making any observation; no direct answer was given from the castle; some days elapsed in awful and mysterious silence: without any public notice taken of it, it was laid on the table of the House of Commons for the inspection of the members. On the 10th of December his grace gave a most gracious answer to the address, which appeared in the Dublin Gazette on the 15th of December, 1759.* The speaker sent for Mr. Anthony M'Dermott and Mr. Crump, and from the chair ordered the former to read the address to the house. Mr. M'Dermott, after having read the ad-

* The address, and the Duke of Bedford's answer are to be seen in the Appendix, No. LXV.

dress, thanked the speaker as delegate from the Catholics of Dublin for his condescension. The speaker replied, that he counted it a favor done him to be put in the way of serving so respectable a body, as that of the gentlemen, who had signed that loyal address. The gracious acceptance of this address was the first re-admission of the Catholic body over the threshold of the constitutional freedom of their country.* Immediately upon the welcome

* To the unwearied zeal and perseverance, to the temperate and manly exertions of these respectable gentlemen of the first Catholic committee, does the Irish nation owe peculiar gratitude, for having been the immediate instruments of opening the door to all the relief their long and sorely suffering countrymen have since received from the benign sympathy of our present most gracious sovereign. Notwithstanding this first successful effort of the merchants' address, it is to be remarked, that a most determined, and not altogether temperate dissension of the Catholic body had unfortunately taken place, upon the propriety of addressing the lord lieutenant. The clergy, nobility, and landed interest were anti-addressers: their fears or hopes, or dependencies upon the castle convinced them, that as Catholics were not subjects in the eye of the law, they had no right to address: that an address therefore would be deemed presumptuous: and that the only plan for them to pursue, was to *express their obedience by letter, and not by address*. Fortunately for Ireland, this pusillanimous and weak delicacy of the *anti-addressers* was overruled by the opposite party, who were guided by the sound sense and manly policy of Mr. O'Connor, and Dr. Curry: the latter of whom in a letter to the former of the 29th of December, 1759, informs him, that a great man was heard to say at the castle: "By G—, I find that I was mistaken in thinking that Papists were led by the nose by their clergy. I have been assured, that the Dublin address was drawn up and signed against their advice and command." This early triumph of the commercial interest over that of the clergy and landed property, was a happy omen to the Catholics at large. Reason connected Mr. O'Connor and Dr. Curry, both men of ancient family and landed estates, with the former; and reason shews, that the intermediate concerns of the merchant and tradesman between the highest and the lowest ranks of society amalgamates them more completely with the mass of the community, and fits them better both in theory and practice for judging of their rights, advantages, and happiness, than those who are exalted by rank or station above the great mass of the people, are removed from immediate intercourse with them, and consequently must be presumed ignorant of their wants. It must also in historical candor be allowed, that there exists to this hour more distance between the rich and the poor in Ireland, than in any part of the British empire: it partly proceeds from a national intemperate lust of power, partly from the vicious system of *mesne* tenantry, which destroys all privity between the owner and occupier of the soil, and partly as Lord Taaffe complained in his *Observations on the Affairs of Ireland* in 1767 (p. 13), from the expulsion of that useful body of people, called Yeomanry in England, denominated *Sculoags* in Ireland; who were communities of industrious housekeepers who in his own time herded together in large villages, cultivated the lands every where, and lived comfortably, till some rich grazier negotiating privately with a sum of ready money took the lands over their heads. "The *Sculoag* race (continues that nobleman), that great nursery of labourers and manufacturers, has been broke and dispersed, " in

come tidings being circulated of the gracious acceptance of this address, the Roman Catholics poured in addresses to the castle, from every quarter of the kingdom, expressive of the most loyal, zealous, and active ardour in defence of their king and country.

It is impossible for the historian always to fathom the secret motives and

“ in every quarter, and we have nothing in lieu, but the most miserable wretches on earth, the
“ cottagers; naked slaves, who labour without any nourishing food, and live while they can with-
“ out houses or covering, under the lash of merciless and relentless task-masters.” It must be further allowed, without derogating from the innate reverence, which the Irish have ever shewn to the ministers of their religion, that in the pursuit and defence of civil rights, the clergy, from their habit of life and dependencies upon the great, are of all men the least likely to be prudent, firm, and vigorous.

If the portrait which Mr. Arthur Young has given of the Irish landlord amidst his tenants bears any resemblance to the original, we shall find in it a host of reasons for disqualifying the nobility and gentry from judging and acting as fairly for the multitude, as the commercial interest. The landlord of an Irish estate inhabited by Roman Catholics, is a sort of despot, who yields obedience in whatever concerns the poor to no law but that of his will. To discover what the liberty of a people is, we must live among them, and not look for it in the statutes of the realm. The language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland. A long series of oppression, aided by many very ill-judged laws, have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission: speaking a language that is despised, professing a religion that is abhorred, and being disarmed, the poor find themselves in many cases slaves even in the bosom of written liberty. Landlords, that have resided much abroad are usually humane in their ideas; but the habit of tyranny naturally contracts the mind, so that even in this polished age there are instances of a severe carriage towards the poor, which is quite unknown in England. Nay, I have heard anecdotes of the lives of people being made free with, without any apprehension of the justice of a jury. But let it not be imagined that is common: formerly it happened every day; but law gains ground. - - - - - The execution of the law lies very much in the hands of justices of the peace, many of whom are drawn from the most illiberal class in the kingdom. If a poor man lodges a complaint against a gentleman, or any animal that chuses to call itself a gentleman, and the justice issues out a summons for his appearance, it is a fixed affront, and he will infallibly be called out. Where manners are in conspiracy against law, to whom are the oppressed people to have recourse? - - - - - They know their situation too well to think of it: they can have no defence but by means of protection from one gentleman against another, who probably protects his vassal, as he would the sheep he intends to eat.

The colours of this picture are not charged. To assert that all these cases are common would be an exaggeration; but to say that an unfeeling landlord will do all this with impunity, is to keep strictly to truth: and what is liberty but a farce and jest, if its blessings are received as the favor of kindness and humanity, instead of being the inheritance of RIGHT. *Young's Tour, Dublin edit. vol. ii. p. 40 and 41.*

views

views of the measures, which it is his duty to retail. It appears however not improbable, that one motive at least for shewing this new indulgent disposition to the Catholics was to reconcile that body to the then crudely digested plan of an Union. But the country was not then ripe for such a measure. It was the interest of too many persons in power then to oppose it, and they artfully predisposed the mob against it, without appearing to take an active part in opposing the measure, which they then effectually strangled in embryo. They also took advantage of those qualities of the Duke of Bedford, which tended to estrange from him the personal affections of the Irish nation, namely his pride, coldness, and œconomy.* The outrages of this mob were attempted by some persons in parliament to be thrown on the Catholics; for the attack on parliament happened on the very day after the address to the lord lieutenant had been signed and presented. On the 4th of December, 1759, the commons resolved upon an address to his grace the lord lieutenant, to return him thanks for his seasonable interposition in using the most effectual means on the preceding day to disperse a most dangerous and

* 4 Smol. p. 469. Although no traces of disaffection to his majesty's family appeared on this trying occasion, it must nevertheless be acknowledged, that a spirit of dissatisfaction broke out with extraordinary violence among the populace of Dublin. The present lord lieutenant was not remarkably popular in his administration. He had bestowed one place of considerable importance upon a gentleman, whose person was obnoxious to many people in that kingdom, and perhaps failed in that affability and condescension which a free and ferocious nation expects to find in the character of him to whose rule they are subjected. Whether the offence taken at his deportment had created enemies to his person, or the nation in general began to entertain doubts and jealousies of the government's designs, certain it is, great pains were taken to propagate a belief among the lower sort of people, that an union would soon be effected between Great Britain and Ireland; in which case this last kingdom would be deprived of its parliament and independency, and be subjected to the same taxes, that are levied upon the people of England. This notion inflamed the populace to such a degree, that they assembled in a prodigious multitude, broke into the House of Lords, insulted the peers, seated an old woman on the throne, and searched for the Journals, which, had they been found, they would have committed to the flames. Not content with this outrage, they compelled the members of both houses, whom they met in the streets, to take an oath that they would never consent to such an union, or give any vote contrary to the true interest of Ireland. Divers coaches belonging to obnoxious persons were destroyed, and their horses killed; and a gibbet was erected for one gentleman in particular, who narrowly escaped the ungovernable rage of those riotous insurgents. A body of horse and infantry were drawn out on this occasion, in order to overawe the multitude, which at night dispersed of itself. Next day addresses to the lord lieutenant were agreed to by both houses of parliament, and a committee of enquiry appointed, that the ringleaders of the tumult might be discovered and brought to condign punishment.

insolent

insolent multitude of people assembled before the parliament house, in order, most illegally and audaciously, to obstruct and insult the members of both houses of parliament attending the public service of the nation, in manifest violation of the rights and privileges of parliament.*

The grand embarkation designed for Ireland was to be made from Vannes in Lower Brittany. To cover it, a fleet was fitted out at Brest, commanded by M. de Conflans. The execution of this scheme was delayed by Sir Edward Hawke, who blocked up that harbour with twenty-three ships of the line. But boisterous winds having driven the British fleet off their station, in the month of November, Conflans embraced the opportunity, and sailed with twenty-one large ships and four frigates. On the twentieth, Sir Edward Hawke pursued and came up with the French fleet. He had been reinforced by a few ships under the command of Captain Duff, who had for some time been cruising from Port l'Orient in Bretagne to the Point of St. Gilles in Poitou. In the neighbourhood of Belleisle the van of the English engaged the rear of the enemy about two o'clock in the forenoon. Happy for Bri-

* The Duke of Bedford made the most honorable amends to the Catholics he could on this occasion, by directing Mr. John Ponsonby, the speaker, to read from the chair his answer to their address; which was an approbation of their past conduct, and an assurance of his future favor and protection as long, as they continued in it. Thus clearing them from the foul aspersion in the very place, in which it had been cast upon them. It is remarkable that no trace of this whole transaction is to be found in the journals of the commons. And yet so unusual a proceeding affecting the rights of the bulk of the Irish nation should naturally have found its place in the parliamentary minutes of that day. On the occasion of that malicious attack upon the Catholics, the Prime Sergeant Stannard, who had come in upon the late change, spoke warmly in reply to some of the high-flying patriots, who most violently opposed the Duke of Bedford's administration. Contrasting the riotous conduct of the Lucasians (as they were then called after their chief,) with the quiet and dutiful behaviour of the Roman Catholics, in that and other dangerous conjunctures, he gave the following honorable testimony in favor of the latter. "We have lived amicably and in harmony among ourselves, and without any material party distinctions for several years past, till within these few months, and during the late wicked rebellion in Scotland, we had the comfort and satisfaction to see that all was quiet here. And to the honor of the Roman Catholics be it remembered, that not a man of them moved tongue, pen, or sword, upon the then, or the present occasion; and I am glad to find, that they have a grateful and proper sense of the mildness and moderation of our government. For my part, while they behave with duty and allegiance to the present establishment, I shall hold them as men in equal esteem with others, in every point but one; and while their private opinion interferes not with public tranquillity, I think their industry and allegiance ought to be encouraged."

tain and to the unspeakable advantage of this country, Providence favored the English fleet with a complete victory. In October, the squadron designed for the North of Ireland had sailed from Dunkirk: it consisted originally of five ships: one of forty-eight, two of thirty-six, and two of twenty-four guns each, and carried a thousand two hundred and seventy land forces. The reputation acquired by M. Thurot, as captain of a privateer, raised him to the command of the naval department employed in this expedition. Adverse and tempestuous winds drove the squadron to Gottenburgh. Having continued here a few days, they set sail and proceeded to the place of destination. Upon arriving on the coast of Ireland they were overtaken by a storm, to escape which they attempted to shelter themselves in Lough Foyle, but the wind changed and continuing to blow tempestuously, obliged them to keep the sea, two of the ships were separated from the rest by the violence of the storm and returned to France. The remaining three directed their course to the island of Ilay, where they anchored, repaired some damages they had sustained, took in a small quantity of fresh provisions, and to procure a supply more adequate to their necessities, sailed for Carrickfergus. They arrived here on the twenty-first of February, and about two miles from the town, landed their forces now reduced to six hundred men. Mean while an officer belonging to the small number of troops of which the garrison consisted, advanced with a reconnoitring party, and took post on a rising ground to observe the motions of the enemy. Having made the best disposition of his men which the time and circumstances would permit, and ordered them to make every effort to retard the approaches of the French, he returned to communicate the necessary information to the commanding officer. The troops were on parade, from whom detachments were sent to defend the gates and all the avenues leading to the town. A number of French prisoners, then in Carrickfergus, were sent off to Belfast with all possible expedition. By this time the fire had begun betwixt the reconnoitring party and the enemy, which killed several of them, and wounded Brigadier General Clobert, their commanding officer. This accident threw them into confusion, and for some time retarded their approach. The reconnoitring party having expended their powder and ball were forced to retreat to their garrison, who, after having attempted in vain to prevent the enemy from entering the town, shut themselves up within the castle. Though they were not in any respect prepared for such an attack, a number of them being quite undisciplined,

plined, and there being a breach in the wall fifty feet long, they defended themselves with spirit until their ammunition was expended. They were now obliged to capitulate: it is supposed, that, previous to the surrender of the castle, a hundred of the French were killed, among whom were four officers, one of them a person of distinction, much regretted for his courage and amiable qualities. Of the garrison not more than three lost their lives. When intelligence of the landing of the enemy reached different parts of the country, volunteer companies flocked to Belfast from all quarters. By the willingness which they discovered to risk their lives in the service of their country they acquired much honor, but they were strangers to discipline, and numbers of them unprovided with arms. Had they proceeded to attack the enemy, as was proposed by some, many would have been sacrificed, and the probability of success was much against them. However the French were alarmed and would have left Carrickfergus without delay, had they not been detained by unfavorable winds: having plundered the town, they re-embarked on Tuesday the twenty-sixth of February. To avoid the imminent danger to which they were exposed from the English ships of war, they wished to return by the North of Ireland, but the wind was adverse, and compelled them to attempt a passage through the Channel. Very soon their hopes of escaping vanished. The day on which they re-embarked, Captain Elliot, of his majesty's ship *Æolus* of thirty-two guns, received information from government of the arrival of the French at Carrickfergus. Taking with him the *Pallas* and *Brilliant*, each of them with the same force, with respect to guns, he set sail in quest of the enemy. The twenty-eighth he discovered them, gave chase, and came up with them near the Isle of Man. Having engaged with them about an hour and a half, they struck, being much injured in their masts and rigging, and three hundred of their men killed. Thurot lost his life in the action. Thurot had in the course of the preceding year signalized his courage and conduct in a large privateer, called the *Belleisle*, which had scoured the North seas, taken a number of ships and at one time, maintained an obstinate battle against two English frigates, which were obliged to desist after having received considerable damage.*

In

* 4 Smol. p. 460. The ideal approximation of circumstances trivial and remote, frequently leads to consequences of great importance and peculiar relevancy. On account of the penal laws then

In consequence of these events, it was resolved by the House of Commons, “that the thanks of that house should be given to Lieutenant Colonel Jennings, for his prudent and resolute conduct at Carrickfergus, and for the gallant stand he made there against a much superior force, by which he gained time for the militia to assemble, and preserved Belfast from being plundered.” It was also resolved, “that the zeal, courage, and activity, exerted on the landing of the French in this kingdom, by the counties of Antrim, Armagh, and Down, and by the citizens of the city of Londonderry, were highly honorable and beneficial to themselves, and their country.” The inhabitants of Belfast presented Lieutenant Colonel Higinson of the 62d regiment of foot, with a large and elegant silver cup, having an inscription expressive of their gratitude for the exertion of his great military knowledge, vigilance and activity, for the security of the town

then existing, the author and several other children of Catholic parents being sent abroad for a foreign education in July 1759 were taken in the packet by Thurot, between Dunkirk and Ostend: and were actually prisoners on board the *Belleisle* when she was attacked by what Mr. Smollet calls English frigates: the *Belleisle* mounted 40 guns, and had another privateer in company with her of 36 guns. On the very day of the capture of the packet three small English vessels mounting 20, 12 and 8 guns gave chase to and came up with the French privateers about midnight, and engaged them briskly till about four o'clock in the morning, when they were obliged to sheer off. Thurot's ship suffered so much, that it put in to Flushing to repair; where his prisoners lay for several weeks before they were exchanged. Here a mutiny happened on board the *Belleisle*, which Thurot quelled by killing two of the ringleaders with his own hands, and cutting off the cheek of a third. The three English vessels were commanded by Captain (afterwards Commodore) Boys, upon which a marine muse produced the following lines.

Conflans, De la Clue, and such brave men as those,
We send Hawke, Boscawen, always to oppose.
But when that Thurot our island annoys
We think it sufficient to send only Boys.

With unspeakable gratitude does the author contrast those times, when under a borrowed name he was necessitated to fly to a foreign country for education, with the present, in which through the liberality of government he has the happiness of giving that same education to his own children in their native soil.

As this descent of Thurot was the only attempt of an enemy to land in Ireland for upwards of two centuries every particular concerning it may be interesting to the Irish reader: we have therefore inserted in the Appendix No. LXVI. the official letter of General Strobe, who then commanded at Belfast, dated February the 23d, 1760, to the lord lieutenant.

of Belfast, on the landing of the French troops at Carrickfergus, the like compliment was paid to Colonel Jennings.*

On the 25th of October, 1760, his late majesty George II. died at Kensington at the advanced age of 77 years; none of his predecessors on the throne lived to so great an age; none enjoyed a more happy or glorious reign; it was a peculiar blessing to this monarch, that the love and affection of his subjects encreased constantly to the close of his reign. He was a prince of personal intrepidity: upright and honorable in his conduct, though not distinguished for any extraordinary brilliancy of talent: he was particularly fortunate in the choice of his last ministry, under Mr. Pitt. His British subjects ill-relished his marked predilection for his German dominions, and complained, that he visited them more frequently, than was consistent with the welfare of the state.

* A List of the Militia that marched against the French on this occasion.

Antrim Country - - -	108	Newton - - - - -	70	Donaghadee - - - - -	70
Temple Patrick - - -	100	Loughbrickland - - -	50	Bangor - - - - -	60
Randlestown - - -	120	Armagh - - - - -	40	Hollywood - - - - -	80
Ballymena - - - - -	140	Lurgan - - - - -	60	Hillborough - - - - -	60
Boroughshane - - -	46	Glenarm - - - - -	100	Market-hill - - - - -	6
Clough - - - - -	100	Ballinere & Balliften -	100	Dromore - - - - -	40
Killylea - - - - -	60	Belfast 3 comp. - - -	300	Richhill light horse -	70
Cumber - - - - -	60	Ballymoney - - - - -	70		
Purdesburn - - - - -	100	Lisburn - - - - -	40	Total	2226
Grayabby - - - - -	70	Argum - - - - -	100		

All clothed and armed at their own expence.

CHAPTER V.

THE REIGN OF GEORGE THE THIRD.

From his Accession to the Throne to the Declaration of Irish Independance in 1782.

NO prince ever ascended the throne more to the joy and satisfaction of his people than our gracious sovereign. Pleased, said Junius, with the novelty of a young prince, whose countenance promised even more than his words, they were loyal to him not only from principle, but passion. It was not a cold profession of allegiance to the first magistrate, but a partial animated attachment to a favorite prince, the native of their country. In his first speech to the British parliament, he said "born and educated in this country, " I glory in the name of Briton: and the peculiar happiness of my life will " ever consist in promoting the welfare of a people, whose loyalty and warm " affection to me I consider as the greatest and most permanent security of " my throne: and I doubt not but their steadiness in those principles will " equal the firmness of my invariable resolution to adhere to and strengthen " this excellent constitution in church and state; and to maintain the " toleration inviolable. The civil and religious rights of my loving subjects, " are equally dear to me with the most valuable prerogatives of the crown: " and as the surest foundation of the whole and the best means to draw down " the divine favor on my reign, it is my fixed purpose, to countenance and " encourage the practice of true religion and virtue." In these flattering assurances of the new monarch to the people of Great Britain, Lord Hallifax, then lord lieutenant of Ireland, had it in command to declare to the sister kingdom, that his subjects of Ireland, were fully, and in every respect, comprehended.* Congratulatory addresses to the throne flowed in from all descriptions of persons: amongst which, none were more remarkable than the addresses from the people called Quakers and the Roman Catholics:

* Com. Journ. vol. 7. p. 13.

the former, contained more moral sentiment and less common place flattery, than are usually contained in such addresses: the latter was strongly expressive of their loyalty: their acknowledgement of past indulgence, and their earnest confidence of future favor.*

With respect to the general state of Ireland at this period, the prospect is truly gloomy. It appears from the public accounts, that at Lady Day, 1759, the nation was in credit 65,774l. 4s. 1½d.; however the arrears upon the establishments had increased so considerably towards the conclusion of that year, that it became necessary to order 150,000l. to be raised at 4 per cent. upon debentures to be made transferable. This is to be considered, as the funded debt of Ireland: for the payment of the interest of this sum, certain duties were granted. In the beginning of 1760, his late majesty having ordered a considerable augmentation of his forces, it became necessary to recur to another loan to raise the intended levies; and accordingly a vote of credit was passed by the commons for raising 300,000l. at 5 per cent. and as it was found difficult to obtain the former loan at 4 per cent. an additional interest of 1 per cent. was ordered to be given for the 150,000l. before mentioned.†

It

* These two addresses are to be seen in the Appendix, No. LXVII.

† The late respectable and patriotic Hely Hutchinson, gives the following just account of the national distress on account of the decline of public credit. (Com. Rest. p. 59.) “ The revenue, for the reasons already given, decreased in 1755, fell lower in 1756, and still lower in 1757. In the last year, the vaunted prosperity of Ireland was changed into misery and distress; the lower classes of our people wanted food, the money arising from the extravagance of the rich was freely applied to alleviate the sufferings of the poor. One of the first steps of the late Duke of Bedford’s administration, and which reflects honour on his memory, was obtaining a king’s letter, dated 31st of March, 1757, for 20,000l. to be laid out as his grace should think the most likely to afford the most speedy and effectual relief to his majesty’s poor subjects of this kingdom. His grace, in his speech from the throne, humanely expresses his wish, that some method might be found out to prevent the calamities, that are the consequences of a want of corn, which had been in part felt the last year, and to which this country had been too often exposed. The Commons acknowledge, that those calamities had been frequently and were too sensibly and fatally experienced in the course of the last year; thank his grace for his early and charitable attention to the necessities of the poor of this country in their late distresses, and make use of those remarkable expressions, “ *that they will most cheerfully embrace every practicable method to promote tillage.* They knew that the encouragement of manufactures were the effectual means, and that these means were not in their power. The ability of the nation was estimated by the money

It is an unexceptionable axiom, that a distressed peasantry argues a corrupt or unwise government: the excesses therefore of desperate wretchedness are to be immediately fought in the forenoon and irritation of the sufferers: though the efficient cause of the suffering must be traced to an higher and less responsible source. From the accession of the Hanover family, the execution of the Popery laws in Ireland had, as far as the personal disposition of the sovereign could influence the conduct of the Irish administration, been softened and mitigated. The rebellions of 1715 and 1745 had been raised

“ money in the treasury, and the pensions on the civil establishment, exclusive of French, which
 “ at Lady Day 1755, were 38,003l. 15s. 0d. amounted at Lady Day 1757, to 49,293l. 15s. 0d.

“ The same ideas were entertained of the resources of this country in the session of 1759.
 “ Great Britain had made extraordinary efforts, and engaged in enormous expences for the protection of the whole empire. This country was in immediate danger of an invasion. Every
 “ Irishman was agreed, that she should assist Great Britain to the utmost of her ability, but this
 “ ability was too highly estimated. The nation abounded rather in loyalty than in wealth. Our
 “ brethren in Great Britain had however formed a different opinion, and surveying their own
 “ strength, were incomplete judges of our weakness. A lord lieutenant of too much virtue and
 “ magnanimity to speak what he did not think, takes notice from the throne, of the prosperous
 “ state of this country, improving daily in its manufactures and commerce. His grace had done
 “ much to bring it to that state, by obtaining for us some of the best laws in our books of statutes.
 “ But this part of the speech was not taken notice of, either in the address to his majesty, or to his
 “ grace, from a House of Commons well disposed to give every mark of duty and respect, and to
 “ pay every compliment consistent with truth. The event proved the wisdom of their reserve.
 “ The public expences were greatly increased, the pensions on the civil establishments, exclusive of
 “ French, at Lady Day, 1759, amounted to 55,497l. 5s. 0d.: there was at the same time a great
 “ augmentation of military expence. Six new regiments and a troop were raised in a very short
 “ space of time. An unanimous and unlimited address of confidence to his grace, a specifick
 “ vote of credit for 150,000l. which was afterwards provided for in the loan bill of that session,
 “ a second vote of credit in the same session for 300,000l., the raising the rate of interest paid by
 “ government one per cent. and the payment out of the treasury in little more than one year,
 “ of 708,957l. 3s. 1½d. were the consequences of those increased expences. The effects of these
 “ exertions were immediately and severely felt by the kingdom. These loans could not be
 “ supplied by a poor country, without draining the bankers of their cash; three of the principal
 “ houses (Clement's, Dawson's, and Mitchell's,) among them stopped payment, the three remain-
 “ ing banks in Dublin discounted no paper, and in fact did no business. Public and private
 “ credit, that had been drooping since the year 1754 had now fallen prostrate. At a general
 “ meeting of the merchants of Dublin, in April 1760, with several members of the House of
 “ Commons, the inability of the former to carry on business was universally acknowledged, not
 “ from the want of capital, but from the stoppage of all paper circulation, and the refusal of the
 “ remaining bankers to discount the bills even of the first houses.”

and

and suppressed, without the slightest tarnish to the loyalty of Ireland;* prone as her enemies ever have been to invent and provoke cause of persecution and punishment in that devoted kingdom. In the general rejoicing of the British empire at the descent of the crown upon a native monarch crowned with early laurels of victory in the wide extent of the war, in which he found his people engaged, Ireland alone was doomed to weep. In the southern province of that kingdom great misery, great forenests, and great disturbances existed in the lowest class of the wretched peasantry. They being chiefly Catholics, religion of course was stupidly and maliciously faddled with the cause of these riots. The insurgents at first committed their outrages at night; and appearing generally in frocks or shirts were denominated *white-boys*: they seized arms and horses, houghed the cattle, levelled the enclosures of commons, turned up new made roads, and perpetrated various other acts of outrage and violence. These unfortunate wretches, as is the case in all insurgencies, raised a popular cry against the rapacity and tyranny of their landlords: against the cruel exactions of tythemongers, and against the illegal enclosures of commons.

The only useful allusion to past riots, the only seasonable reflections, that arise out of them, the only fair historical purpose, to which the details of them can be applied, are such as tend to their future prevention. The most pointed exhortations to the discontented mass, but tend to aggravate whilst their forenests lasts; little avails it in the moment of fermentation whether their grievances be ideal or real; whether the cause of their irritation be just or groundless. Few, if any of the deluded multitude will read the history of their own misconduct in the pages, which fall under the perusal of those, who alone command the efficient means of prevention. Various causes about this period concurred in reducing this forlorn peasantry to the most abject wretchedness. An epidemic disorder of the horned cattle had spread

* It is notorious that when Murray, the Pretender's secretary, gave up all the letters and papers relative to the last rebellion in Scotland, a scheme which had been planning and contriving for seven years before, it plainly appeared, that the Jacobite party had no dependence upon or connection or correspondence with any Roman Catholic in Ireland. The very name of that kingdom not having been once mentioned throughout the whole correspondence. When in March, 1762, a general fast was ordained by the government for the success of his majesty's arms, the form of prayer and exhortation to the Roman Catholic congregations in Ireland were as staunchly loyal as any of the establishment, as may be seen in the Appendix, No. LXVIII.

from

from Holstein through Holland into England, where it raged for some years, and consequently raised the prices of beef, cheese, and butter to exorbitancy; hence pasturage became more profitable than tillage; and the whole agriculture of the south of Ireland, which had for some time past flourished under the mild administration of the Popery laws, instantly ceased; the numerous families, which were fed by the labour of agriculture, were turned adrift without means of subsistence. Cottiers being tenants at will were every where dispossessed of their scanty holdings, and large tracts of grazing land were set to wealthy monopolizers,* who, by feeding cattle, required few hands, and paid higher rents. Pressed by need, most of these unfortunate peasants sought shelter in the neighbouring towns, for the sake of begging that bread which they could no longer earn: and the only piteous resource of the affluent was to ship off as many as would emigrate to seek maintenance or death in foreign climes. The price then paid for the little labour, that was done, kept not pace with the rise of necessaries: it exceeded not the wages given in the days of Elizabeth. The landlords demanded extravagant rents from their cottiers, and to reconcile them to their lettings, they allowed them generally a right of common, of which they soon again deprived them by enclosures; the absolute inability of these oppressed tenants to pay their tythes beside their landlord's rent, made them feel the exaction and levying of them by the proctors, as a grievance insupportable.† These insurrections became

* In the cant of these wretched rioters they were called *land-pirates*.

† Consequences have flowed (says Mr. Young) from these oppressions, which ought long ago to have put a stop to them. In England we have heard much of *White Boys*, *Steel Boys*, *Oak Boys*, *Peep of day Boys*, &c. But these various insurgents are not to be confounded, for they are very different. The proper distinction in the discontents of the people is into Protestant and Catholic. All but the White Boys were among the manufacturing Protestants in the North. The White Boys Catholic labourers in the South. From the best intelligence I could gain, the riots of the manufacturers had no other foundation, but such variations in the manufacture as all fabrics experience, and which they had themselves known and submitted to before. The case, however, was different with the White Boys, who, being labouring Catholics, met with all those oppressions I have described, and would probably have continued in full submission, had not very severe treatment in respect of tithes, united with great speculative rise of rents about the same time, blown up the flame of resistance; the atrocious acts they were guilty of made them the object of general indignation; acts were passed for their punishment, which seemed calculated for the meridian of Barbary; this arose to such a height, that by one they were to be hanged under circumstances without the common formalities of a trial, which, though repealed the following sessions, marks the spirit of punishment;

became daily more alarming to government:* they instituted a commission of some gentlemen, of distinguished loyalty and eminence in the law, to enquire

while others remain yet the law of the land, that would, if executed, tend more to raise than quell an insurrection. From all which it is manifest, that the gentlemen of Ireland never thought of a radical cure from overlooking the real cause of the disease, which in fact lay in themselves, and not in the wretches they doomed to the gallows; let them change their own conduct entirely, and the poor will not long riot. Treat them like men who ought to be as free as yourselves: put an end to that system of religious persecution, which for seventy years has divided the kingdom against itself; in these two circumstances lies the cure of insurrection, perform them completely, and you will have an affectionate poor, instead of oppressed and discontented vassals. (*Young's Tour*, vol. ii. p. 41, 42.) The late Lord Taaffe, whose high sense of honour, frankness, and independence had endeared him personally to his sovereign, as well as to all who knew him, has spoken of these Munster insurrections in a manner that cannot fail to carry full conviction to the unbiassed reader. (*Observations on the Affairs of Ireland*, 2 edit. 1767, p. 19) "The insurrection of some of the cottagers, in a few counties of Munster, is no exception to the duty they owe and pay to their sovereign; nor is it fair to reproach them with the madness of a rout of peasants, wearied with life, and desperate from invincible poverty. The whole body of Roman Catholics, however, have been reproached, and are in some degree reproached still on this account. It has turned out a very serious and tragical affair, and had it not proved so, it would be cause of mirth to consider, how keen the appetite for Popish plots must have been, which fed upon the idea, that France on the conclusion of a treaty of peace with Britain, and evidently interested in the temporary observance of it, should immediately employ here the prevailing plenipotentiaries of money, arms, and officers to conclude another private treaty with the Munster rabble, and all this with the view of exciting a Popish massacre and rebellion through every quarter of this kingdom. Such is the idea that has been propagated, and so fillily have some played their game, that they admitted every body to look into their hands. It is happy that they did so. Others were less to be blamed for being seduced to think, like Scrub in the play, that there must be a plot because they knew nothing about it. But men of good sense, the friends of their country and of virtue, went upon surer grounds, shewed no unwillingness to be well informed, and are now very successfully pushing this affair into day-light. In and out of the parliament they are doing good; and may their country receive the full benefit of their moderation and patriotism. The Irish Catholics easily foresaw that the disorders of the Munster levellers would affect them; and on the first rising of that mob addressed the Earl of Halifax, then in the government, with the strongest assurances of their allegiance to his majesty. The superiors of the Catholic clergy in that province, were at the same time edifyingly active in pressing the duty of obedience and loyalty on their people. This is well known. He of Waterford exerted himself, by giving the government the best and earliest intelligence he could get of the intentions and motions of those miscreants. He of Ossory distinguished himself also, by excellent instructions (published in the public papers) for the civil conduct of the people under his care. They issued excommunications, and denounced in vain the most tremendous censures of the Church against the incorrigible and obstinate."

* In the month of January, 1762, the White Boys first appeared, and in one night dug up twelve acres

enquire upon the spot into the real causes and circumstances of these riots, who reported, "that the authors of those riots consisted indiscriminately of
" persons

acres of rich fattening ground, belonging to Mr. Maxwell, of Kilfinnan, in the county of Limerick. A special commission was immediately issued to try them, when two of them were found guilty, Bangyard and Carthy, and executed at Gallows Green, the 19th of June. (*Hist. of Lim. p. 129.*)

Doctor Campbell makes the following observations upon the state of the White Boys. *Ph. Sur. p. 293.* After considering all this, yet seeing at the same time that the greater, and certainly the best part of what I have seen, instead of being in a progressive state of improvement, is verging to depopulation; that the inhabitants are either moping under the sullen gloom of inactive indigence, or blindly asserting the rights of nature in nocturnal insurrections, attended with circumstances of ruinous devastation and savage cruelty, must we not conclude, that there are political errors somewhere? Cruelty is not in the nature of these people more than of other men; for they have many customs among them, which discover uncommon gentleness, kindness, and affection. Nor are they singular in their hatred of labour; Tacitus's character given of the Germans, applies to them, and all mankind in a rude state, *mirâ diversitate naturæ, cum iidem homines, sic ament inertiam, sic oderint quietem.* At present their hands are tied up, and they have neither the actions of a savage, nor the industry of civilized people. There is no necessity for recurring to natural disposition, when the political constitution obtrudes upon us so many obvious and sufficient causes of the sad effects we complain of. The first is, the suffering avarice to convert the arable lands into pasture. The evils arising from this custom in England, were so grievous, that Lord Bacon tells us, in the reign of Henry VII. a statute was enacted to remedy them. But the mischief still encreasing, Henry VIII. revived all the ancient statutes, and caused them to be put in execution. Yet notwithstanding this care, so great was the discontent of the people, from poverty occasioned by decay of tillage and increase of pasturage, that they rose in actual rebellion in the reign of Edward VI. and sharpened by indigence and oppression, demolished in many counties the greatest part of the inclosures. Here you see an exact prototype of the present disturbances in Munster, carried on by the rabble, originally called *levellers*, from their levelling the inclosures of commons, but now *White Boys*, from their wearing their shirts over their coats, for the sake of distinction in the night. There it was a rebellion, here it is only a star-light insurrection; disavowed by every body; and the impotence of those engaged to do any thing effectual drives them into wanton and malignant acts of cruelty on individuals. Hopeless of redress, they are provoked to acts of desperation. The rebellion in England did not remove the evil; it was not however altogether fruitless; a commission was appointed to enquire into the cause of it, and from a proclamation thereupon issued, it appears, that government became possessed of the true state of the case. It is so remarkably apposite to the present state of the South of Ireland, that I cannot forbear citing an extract or two from it. It sets forth, "that the king, and the rest
" of the privy council were put in remembrance by divers pitiful complaints of the poor subjects, as
" well as by other wise and discreet men, that of late, by enclosing arable ground, many had been
" driven to extreme poverty, and compelled to leave the places where they were born, and seek
" their livings in other countries; insomuch, as in times past, where ten, twenty, yea in some places
" two hundred people have been inhabiting, there is nothing now but sheep and bullocks. All
" that

“ persons of different persuasions, and that no marks of disaffection to his majesty’s person or government appeared in any of these people:”* which report was confirmed by the judges of the Munster circuit, and by the dying protestations of the first five of the unhappy men, who were executed at Waterford, in 1762, for having been present at the burning of a Cabin, upon the information of an approver, who was the very person, that had set fire to it with his own hand. Fortunately for the country, Sir Richard Aston,† lord chief justice of the Common Pleas, was sent down upon a special commission to try great numbers of these rioters; and so well satisfied with the impartiality of his conduct were the inhabitants of those parts, that upon his return from Clonmell, where they were tried, he had the satisfaction of seeing the road lined on both sides with men, women, and children, thanking him for the unbiassed discharge of his duty, and supplicating Heaven to bless him as their protector, guardian, and deliverer.

The execution of scores of these unfortunate objects of misery and desperation would not answer the views of those, (and too many there shamefully were) who from their own private ends connived at and fomented these tumults. They sought a victim of more renown; and selected Nicholas Sheehy, the parish priest of Clogheen in the county of Tipperary, a district then particularly infested by the White Boys, as a fit object for their wicked, though ultimately ineffectual, purpose of implicating the Catholic religion, the Pope, the French, and the Pretender in the tumultuary outrages of these

“ that land which was heretofore tilled and occupied by so many men, is now gotten, by the insatiable greediness of men, into one or two men’s hands; and scarcely dwelt upon by one poor shepherd, so that the realm is thereby brought into marvellous desolation, &c.” The case of Ireland is now like that of England then. Some would insinuate that Popery is at the bottom of what they call this dark affair; and to give their opinion an air of probability, they tell you, that the first rising of these deluded people was in the very year that Thurot made a landing in the north of Ireland, and that Conflans was to have attempted the like in the south. But I can find no evidence that the French king employed any agents, at this time, to practise on the discontents of the rabble of Munster.

* Vide Dublin Gazette, and also *The Enquiry into the Causes of the Outrages committed by the Levellers per totum*.

† A more uncorrupt, firm, and humane judge never graced the Bench. The extraordinary exultation of the Irish on this occasion, is a strong though melancholy proof, that the chaste impartiality and independence, from which that learned and revered judge never departed, had hitherto been a novelty to the Irish people. He has received the most honorable test of his uprightness in the blame cast at him by the author of *The Memoirs of the different Rebellions in Ireland*, p. 34.

wretched

wretched desperadoes. They had him proclaimed upon false informations; and a reward of 300*l.* was set upon his head. He, conscious of his innocence, immediately upon hearing of the proclamation, offered to Mr. Secretary Waite to spare government the reward offered, and surrender himself instantly to take his trial out of hand; not indeed in Clonmel, where he feared the malice and power of his enemies would (as they afterwards proved) be too prevalent for justice, but in the court of King's Bench in Dublin. His proposal having been accepted, he was accordingly brought up to Dublin, and tried there for rebellion, of which, however, after a severe scrutiny of fourteen hours, he was honourably acquitted; no evidence having appeared against him but a blackguard boy, a common prostitute, and an impeached thief, all brought out of Clonmel jail, and bribed for the purpose of witnessing against him.

His enemies, who had failed in their first attempt, were predetermined upon his destruction at all events. One Bridge, an informer against some of those who had been executed for these riots, was said to have been murdered by their associates, in revenge, although his body could never be found,* and a considerable reward was offered for discovering and convicting the murderer. Sheehy, immediately after his acquittal in Dublin for rebellion, was indicted by his pursuers for this murder, and notwithstanding the promise given him by those in office on surrendering himself, he was transmitted to Clonmel, to be tried there for this new crime, and upon the sole evidence of the same infamous witnesses, whose testimony had been so justly reprobated in Dublin, was there condemned to be hanged and quartered for that murder.

The night before his execution, which was but the second after his sentence, he wrote a letter to Major Sirr, wherein he declared his innocence of the crime, for which he was next day to suffer death; and on the morning of that day, just before he was brought forth to execution, he, in presence of the sub-sheriff and a clergyman who attended him, again declared his innocence of the murder; solemnly protesting at the same time, as he was a dying man, just going to appear before the most awful of tribunals, that he never had engaged any of the rioters in the service of the French king, by tendering

* It was positively sworn, by two unexceptionable witnesses, that he privately left the kingdom some short time before he was said to have been murdered. See notes of the trial taken by one of the jury in *Exshaw's Magazine* for June 1766.

them

them oaths, or otherwise; that he never had distributed money among them on that account, nor had ever received money from France or any other foreign court, either directly or indirectly, for any such purpose; that he never knew of any French or foreign officers being among these rioters; or of any Roman Catholics of property or note being concerned with them. At the place of execution he solemnly averred the same things, adding, that he never heard an oath of allegiance to any foreign prince proposed or administered in his life-time; nor ever knew any thing of the murder of Bridge, until he heard it publickly talked of; nor did he know that there ever was any such design on foot. The prompt surrender of Mr. Sheehy when he commanded the readiest means of escape, his acquittal before a Dublin jury of the rebellion charged in the proclamation, and his being afterwards found guilty of the murder of Bridge upon the evidence of those very suborned wretches, whose testimonies had been rejected on his former trial in the King's Bench, and were afterwards also rejected on the trial of a Mr. Keating for another pretended murder at Kilkenny, when coupled with other circumstances of atrocious violence, intimidation, and injustice attending the trial of Sheehy, known to and testified by hundreds of eye witnesses, many of whom are still living, leave no doubt upon the mind of every unbiassed man, that Mr. Sheehy was the devoted victim of the rankest malice and perjury.*

In

* On the day of this man's trial, a party of horse surrounded the court, admitting and excluding whomsoever they thought proper, while others of them with a certain knight at their head, scampered the streets in a formidable manner, forcing into inns and private lodgings in the town, challenging and questioning all new comers, menacing his friends, and questioning his enemies. During the trial, Mr. Keating, a person of known property and credit in that country, having given the clearest and fullest evidence, that, during the whole night of the supposed murder of Bridge, the prisoner, Nicholas Sheehy, had lain in his house, that he could not have left it in the night time without his knowledge, and consequently that he could not have been present at the murder; the Reverend Mr. H. an active manager in these trials, stood up, and after looking on a paper that he held in his hand, informed the court, that he had Mr. Keating's name on his list, as one of those that were concerned in the killing a corporal and serjeant in a former rescue of some of these levellers: upon which he was immediately hurried away to Kilkenny jail, where he lay for some time loaded with irons in a dark and loathsome dungeon. By this proceeding, not only his evidence was rendered useless to Sheehy, but also that of many others was prevented, who came on purpose to testify the same thing, but instantly withdrew themselves, for fear of meeting with the same treatment. Mr. Keating was afterwards tried for this pretended murder at the assizes of Kilkenny, but was honourably

In vain from the beginning of these insurrections did a certain party attempt to fix the body of Roman Catholics with the treason and disloyalty attending them. The plain truth is, that these oppressed wretches being too ignorant to know the law, and too poor to bear the expence of it, betook themselves to violence as to their only resource. Fatal experience teaches us that mobs seldom rise, till they have suffered some grievance; and seldom disperse till they have occasioned great mischief. The very occasion, which such risings afford to private, and secret, and generally unwarrantable engagements with each other, is one of the most pernicious evils, that can befall society. Linked by common ties, they acquire gregarious firmness, but seldom coalesce upon a specific ground of grievance. Yet whilst these *White Boys* continued to exist, they were generally consistent in the nature of their complaints; of which however the loudest and most lasting were against the extortions of the tithe proctors; the landlords and graziers, in order to divert the irritation of this wretched and oppressed peasantry from themselves, did not scruple to cherish, or at least connive at their resistance to the ever

honourably acquitted; too late, however, to be of any service to Mr. Sheehy, who had been hanged and quartered some time before Mr. Keating's acquittal. The very same evidence, which was looked upon at Clonmell as good and sufficient to condemn Mr. Sheehy, having been afterwards rejected at Kilkenny, as prevaricating and contradictory, when offered against Mr. Keating. James Prendergast, Esq. a Protestant of the established church, a witness for Mr. Edmund Sheehy, deposed, that on the day and hour on which the murder of Bridge was sworn to have been committed, viz. about or between the hours of ten and eleven o'clock on the night of the 28th of October, 1764, Edmund Sheehy, the prisoner, was with him and others in a distant part of the country; that they and their wives had on the aforesaid 28th of October, dined at the house of Mr. Tenison, near Ardfinan, in the county of Tipperary, where they continued till after supper; that it was about eleven o'clock when he and the prisoner left the house of Mr. Tenison, and rode a considerable way together on their return to their respective homes; that the prisoner had his wife behind him, that when he (Mr. Prendergast) got home, he looked at the clock, and found it was the hour of twelve exactly. This testimony was confirmed by several corroborating circumstances, sworn to by two other witnesses, against whom no exception seems to have been taken: and yet because Mr. Tenison, although he confessed in his deposition, that the prisoner had dined with him in October 1764, and does not expressly deny, that it was on the 28th of that month, but says, conjecturally, that he was inclined to think that it was earlier than the 28th, the prisoner was brought in guilty. This positive and particular proof, produced by Mr. Prendergast, with the circumstances of the day and the hour, attested upon oath by two other witnesses, whose veracity seems not to have been questioned, was overruled and set aside, by the vague and indeterminate surmise of Mr. Tenison. See *Exshaw's, Gentleman's*, and *London Magazine*, for April and June, 1766.

unpopular

unpopular demands of the clergy. This suffering and misguided people bound themselves to each other by an oath.*

The public mind was much agitated by these proceedings, and many undue means were used to exaggerate the evil, and convert it into a Popish plot to overturn the government, to massacre the Protestants, and to favour our enemies in their dreaded invasion. Acts of popular outrage are committed generally by the lower order of the people; and as that order principally consists in this kingdom of Roman Catholics, it was in some respect a natural consequence to attribute the misdemeanours of the Southern insurgents, indiscriminately, to persons of that persuasion. The House of Commons therefore appointed a committee "to enquire into the causes and progress of (what was termed) the Popish insurrection in the province of Munster."

† On the 23d of January, 1762, Mr. Hamilton, secretary to Lord Halifax, communicated to the House of Commons the message from the lord lieutenant, by which he informed them, that he had it in command from his majesty, that after the most conciliatory efforts which his majesty's moderation could dictate, or his royal dignity permit, affairs had been brought to an unhappy, though on his side inevitable, rupture with the court of Spain: that in consequence his majesty had directed an immediate augmentation of five battalions to the establishment, which would render some further supplies unavoidably necessary beyond those which they had already so liberally granted. And although in this address to parliament there be an exclusive and par-

* Of which the following is said to have been the form, and which the most wilful traducer of the Irish cannot distort into any engagement to the Pope, French, or Pretender:

"I do hereby solemnly and sincerely swear, that I will not make known any secret now given me, or that hereafter may be given me, to any one in the world, except a sworn person belonging to the society called *White Boys*, or otherwise—Sive Ultagh's Children.

"Furthermore I swear, that I will be ready at an hour's warning, if possible, being properly summoned by any of the officers, serjeants, or corporals belonging to my company.

"Furthermore I swear, that I will not wrong any of the company I belong to, of the value of one shilling; nor suffer it to be done by others, without acquainting them thereof.

"Furthermore I swear, I will not make known, in any shape whatever, to any person that does not belong to us, the name or names of any of our fraternity, but particularly the names of our respective officers.

"Lastly I swear, that I will not drink of any liquor whatsoever, whilst on duty, without the consent of one or other of the officers, serjeants, or corporals; and that we will be loyal to one another as far as in our power lies."

† 8 Journ. Com. p. 136.

ticular

particular application to his majesty's Protestant subjects of Ireland, it was not as before had been the usual stile of the castle, to call upon them to make head against, to resist, or punish the common enemy; but as none but Protestants were members of the house which he was then addressing, and none but they could affect the revenue, his majesty having in all exigencies the most full and firm reliance on the experienced affection and loyalty of his faithful Protestant subjects of Ireland, entertained no doubt that they would concur with their usual cheerfulness and unanimity in raising the additional supplies. The commons immediately resolved on an address of thanks to the lord lieutenant, to return thanks for the very important communications he had been pleased to make them; and to assure his excellency of the entire satisfaction which they had received from his prudent and just administration, during the course of which he had fully maintained the dignity of the crown, and at the same time gained the affection and esteem of the whole kingdom.* In consequence of this message, the augmentation was accordingly ordered, and another vote of credit passed for the raising of 500,000*l.* at five per cent. The House of Commons also shortly after resolved, that an address should be presented to the lord lieutenant, requesting that he would represent to his majesty the sense of that house, that the entertainments and appointments of the lord lieutenant of Ireland had become inadequate to the dignity of that high station, and that it was the humble desire of that house that his majesty would be pleased to grant such an augmentation to the entertainments of the lord lieutenant for the time being, as, with the then allowances, should in the whole amount to the annual sum of 16,000*l.* which measure was also effected.

At the close of the session of 1762, Lord Halifax, in his speech to the parliament, thus alluded to the insurrections of the *White Boys*:† “ I must with concern observe, that notwithstanding the exemplary behaviour of all ranks of people in this metropolis, and throughout the greatest part of this kingdom, some distant quarters of the country have been unhappily disturbed with tumults and riots of the lower sort of people. I have on this occasion been reluctantly obliged to call out the military power, which is

* This would not have been the language of the commons, had there then in reality existed a Popish conspiracy against the government of the country, as the malevolent party was endeavouring to make the public believe.

† 7 Journ. Com. p. 173.

“ sometimes the necessary, but ought always to be the last resource of government. The officers ordered on that service have executed their duty with activity and discretion. These tumults are, I hope, wholly suppressed. Many of the persons concerned in them are in custody, and await the punishment of their offences. Others are fled from justice, and seem to want only an occasion of returning to their respective habitations with impunity.”

Amongst the various duties of the historian, it is not the last or least, to point out the sources of disorders, as the best and most efficient antidotes and remedies against their repetition. Although the *White Boys* were generally suppressed, yet the spirit of insurrection was not eradicated: the roots of the evil had spread wider than the province of Munster; for elsewhere also the lower orders were *wretched, oppressed, and impoverished*.

As one insurrection has frequently proved to be an encouragement or prelude to another, so Ireland was soon after disturbed by risings in other parts, but grounded on different principles; *Oak Boys* and *Hearts of Steel Boys* made their appearance successively, in the northern countries.

The highways in Ireland were formerly made and repaired by the labour of housekeepers. He who had a horse, was obliged to work six days in the year; himself and horse: he who had none, was to give six days labour. It had been long complained, that the poor alone were compelled to work; that the rich had been exempt; that instead of mending the public roads, the sweat of their brows was wasted on private roads, useful only to overseers. At length in the years 1763 and 1764, they shewed their resentment. In the most populous, manufacturing, and consequently civilized part of the province of Ulster, the inhabitants of one parish refused to make more of what they called *job-roads*. They rose almost to a man, and from the oaken branches, which they wore in their hats, were denominated *Oak Boys*.

The discontent being as general as the grievance, the contagion seized the neighbouring parishes: from parishes it flew to baronies, and from baronies to counties, till at length the greater part of the province was engaged. The many-headed monster (as Dr. Campbell observes) being now roused, did not know where to stop, but began a general redress of grievances, whether real or imaginary. Their first object was the overseers of roads; the second the clergy, whom they resolved to curtail of their tythes; the third was the landlords, the price of whose lands (particularly the *turf bogs*) they set
about

about regulating. They had several inferior objects, which only discovered the phrenzy of insurrection.

The army was hereupon collected from the other provinces; for till then the province of Ulster was deemed so peaceful, that scarcely any troops were quartered in it. The rabble was soon dispersed, with the loss of a few lives; and the tumult was to appearance quelled in a few weeks. In the ensuing session of parliament, the matter was taken into consideration; the old act was repealed, and provision made for the future repairs of the roads, by levying a tax on both rich and poor. The cause of the discontent being thus happily removed, peace and quiet returned to their former channels. The rising of the *Steel Boys* was not so general, but it was more violent, as proceeding from a more particularly interesting cause;—the source of it was this: An absentee nobleman, possessed of one of the largest estates in the kingdom, instead of letting it when out of lease, for the highest rent, adopted a novel mode, of taking large fines and small rents. The occupier of the ground, though willing to give the highest rent, was unable to pay the fines; and therefore dispossessed by the wealthy undertaker, who not contented with a moderate interest for his money, racked the rents to a pitch above the reach of the old tenant.

Upon this the people rose against forefellers, destroying their houses, and maiming their cattle, which now occupied their former farms. When thus driven to acts of desperation, they knew not how to confine themselves to their original object, but became like the *Oak Boys*, general reformers. The army however soon subdued them, and some who were made prisoners, having suffered by the hands of the executioner, the country was restored to its pristine tranquillity. Both these insurrections being in the north, the most opulent, populous, and civilized part of the kingdom, we may observe have no similitude to that of the *White Boys* in the south, either in their causes or in their effects, except in the general idea of oppression. The cause which generated the one being removed, and that of the other being only temporary, the duration of neither was long: the rise and fall of each was like that of a mountain river, which swelled by a broken cloud, at once overwhelms all around, and then shrinks down as suddenly into its accustomed bed.

The government of Lord Halifax ended with the session of 1762: this
x x 2 year

year was an eventful æra to the British empire. Mr. Pitt*, and afterwards the Duke of Newcastle, retired from his majesty's councils, to make room for Lord Bute's administration, who is now generally admitted to have brought with him the highest sublimation of Tory principles (with the exception of *Jacobitism*), and to have commanded more personal influence over his sovereign, than a Buckingham or a Clarendon. This change in his majesty's councils was the first check given to the Whig interest, by a prince of the house of Brunswick.

No part of the British empire was more sincerely and deeply affected by the success of his majesty's arms and the security of his government than Ireland. Upon the resignation of Mr. Pitt, and the consequent decline of the Whig interest,† to let in the Earl of Bute with new and opposite, but worse than

* Mr. Pitt, whose vigorous and successful administration had much endeared him to the people, having in October 1761 proposed in the cabinet an immediate declaration against Spain, which he knew had recently entered into an alliance with France against Great Britain, and being only supported by his brother-in law, Earl Temple, he immediately resigned, in order, to use his own words, *not to remain responsible for measures, which he was no longer allowed to guide*. The king granted him a pension of 3000l. which with some difficulty and risk of his popularity he accepted: though he then refused the peerage, which he afterwards accepted. But his lady was created Baroness of Chatham, with remainder to her heirs male.

† The truly masterly strokes of Mr. Burke upon this subject cannot fail to instruct and delight the reader. In his *Thoughts on the present Discontents*, written in 1770, whilst the nation was sensibly alive to the consequences of this new system, he analyses it from its source; and although it operated only by rebound, and perhaps imperfectly upon Ireland, yet in the uncontrolled dependence of the Irish administration on the British cabinet, his observations cannot be irrelevant to Ireland. "The power of the crown," says he, "almost dead and rotten, as prerogative, has grown up anew with much more strength, and far less odium, under the name of *influence*. At the Revolution the crown, deprived, for the ends of the revolution itself, of many prerogatives, was found too weak to struggle against all the difficulties, which pressed so new and unsettled a government. The court was obliged therefore to delegate a part of its powers to men of such interest, as could support, and of such fidelity, as would adhere to its establishment. Such men were able to draw in a great number to a concurrence in the common defence. This connection, necessary at first, continued long after convenient, and properly conducted, might indeed in all situations be an useful instrument of government. The powerful managers for government were not sufficiently submissive to the pleasure of the possessors of the immediate and personal favour; sometimes from a confidence in their own strength, natural and acquired: sometimes from a fear of offending their friends, and weakening that lead in the country, which gave them a consideration independent of the court. Men acted as if the court could receive, as well as confer an obligation. This method of governing

than the old Tory principles, the merchants and traders of Dublin in a body, not indeed legally representing, but well known to speak the sentiments of the

ing by men of great national interest or great acquired consideration was viewed in a very invidious light by the true lovers of absolute monarchy. It is the nature of despotism to abhor power held by any means but its own momentary pleasure; and to annihilate all intermediate situations between boundless strength on its own part, and total debility on the part of the people. To get rid of all this intermediate and independent importance, and to secure to the court the unlimited and uncontrolled use of its own vast influence, under the sole direction of its own private favour, has for some years past been the great object of policy. If this were compassed, the influence of the crown must of course produce all the effects, which the most sanguine partizans of the court could possibly desire. Government might then be carried on without any concurrence on the part of the people; without any attention to the dignity of the greater, or to the affections of the lower sorts. A new project was therefore devised, by a certain set of intriguing men, totally different from the system of administration, which had prevailed since the accession of the house of Brunswick. This project I have heard was first conceived by some persons in the court of Frederick Prince of Wales. The earliest attempt in the execution of this design was to set up for minister, a person in rank indeed respectable, and very ample in fortune; but who, to the moment of this vast and sudden elevation, was little known or considered in the kingdom: to him the whole nation was to yield an immediate and implicit submission. But whether it was for want of firmness to bear up against the first opposition, or that things were not yet fully ripened, or that this method was not found the most eligible, that idea was soon abandoned. The instrumental part of the project was a little altered, to accommodate it to the time, and to bring things more gradually and more surely to the one great end proposed. The first part of the reformed plan was to draw a line which should separate the court from the ministry. Hitherto these names had been looked upon as synonymous, but for the future, court and administration were to be considered as things totally distinct. By this operation, two systems of administration were to be formed; one, which should be in the real secret and confidence; the other merely ostensible, to perform the official and executory duties of government. The latter were alone to be responsible, whilst the real advisers, who enjoyed all the power were effectually removed from all the danger. Secondly, a party under these leaders was to be formed in favour of the court against the ministry: this party was to have a large share in the emoluments of government, and to hold it totally separate from, and independent of ostensible administration. The third point, and that, on which the success of the whole scheme ultimately depended, was to bring parliament to an acquiescence in this project. Parliament was therefore to be taught by degrees a total indifference to the persons, rank, influence, abilities, connexions, and character of the ministers of the crown, by means of a discipline, on which I shall say more hereafter; that body was to be habituated to the most opposite interests, and the most discordant politics. All connexions and dependencies among subjects were to be entirely dissolved. As hitherto business had gone through the hands of leaders of Whigs or Tories, men of talents to conciliate the people, and engage to their confidence, now the method was to be altered; and the lead was to be given to men of no sort of consideration or credit in the country. This want of natural importance was to be their very title to delegated power. Members of parliament were to be

the great majority of the people of Ireland, presented a most grateful address to Mr. Pitt, expressive of their admiration of his principles and conduct,

be hardened into an insensibility to pride, as well as to duty. Those high and haughty sentiments, which are the great support of independence, were to be let down gradually. Point of honour and precedence were no more to be regarded in parliamentary decorum, than in a Turkish army. It was to be avowed as a constitutional maxim, that the king might appoint one of his footmen, or one of your footmen, for minister; and that he ought to be, and that he would be, as well followed as the first name for rank or wisdom in the nation. Thus parliament was to look on, as if perfectly unconcerned; while a cabal of the closet and back stairs was substituted in the place of a national administration. With such a degree of acquiescence, any measure of any court might well be deemed thoroughly secure. The capital objects, and by much the most flattering characteristics of arbitrary power, would be obtained. Every thing would be drawn from its holdings in the country to the personal favour and inclination of the prince. This favour would be the sole introduction to power, and the whole tenure, by which it was to be held: so that no person looking towards another, and all looking towards the court, it was impossible, but that the motive, which solely influenced every man's hopes, must come in time to govern every man's conduct; till at last the servility became universal, in spite of the dead letter of any laws or institutions whatsoever. In the first place, they proceeded gradually, but not slowly, to destroy every thing of strength which did not derive its principal nourishment from the immediate pleasure of the court. The greatest weight of popular opinion and party connexion were then with the Duke of Newcastle and Mr. Pitt. Neither of these held their importance by the new tenure of the court; they were not therefore thought to be so proper as others for the services which were required by that tenure. It happened very favourably for the new system, that under a forced coalition there rankled an incurable alienation and disgust between the parties, which composed the administration. Mr. Pitt was first attacked. Not satisfied with removing him from power, they endeavoured by various artifices to ruin his character. The other party seemed rather pleased to get rid of so oppressive a support; not perceiving, that their own fall was prepared by his, and involved in it. Many other reasons prevented them from daring to look their true situation in the face. To the great Whig families it was extremely disagreeable, and seemed almost unnatural, to oppose the administration of a prince of the house of Brunswick. Day after day they hesitated, and doubted, and lingered, expecting that other counsels would take place; and were slow to be persuaded, that all which had been done by the cabal, was the effect not of humour, but of system. It was more strongly and evidently the interest of the new court faction, to get rid of the great Whig connexions, than to destroy Mr. Pitt. The power of that gentleman was vast indeed and merited; but it was in a great degree personal, and therefore transient. Theirs was rooted in the country. For with a good deal less of popularity, they possessed a far more natural and fixed influence. Long possession of government; vast property; obligations of favours given and received; connexion of office; ties of blood, of alliance, of friendship (things at that time supposed of some force); the name of Whig, dear to the majority of the people; the zeal early begun and steadily continued to the royal family: all these together formed a body of power in the nation, which was criminal and devoted. The great ruling principle of the cabal, and that which animated and harmonized all their proceedings, how various
soever

duct, and their sincere condolence that his country was deprived of his fer-

foever they may have been, was to signify to the world, that the court would proceed upon its own proper forces only; and that the pretence of bringing any other into its service was an affront to it, and not a support. Therefore, when the chiefs were removed, in order to go to the root, the whole party was put under a proscription so general and severe, as to take their hard-earned bread from the lowest officers, in a manner, which had never been known before, even in general revolutions. But it was thought necessary effectually to destroy all dependencies but one, and to shew an example of the firmness and rigour with which the new system was to be supported.

"I rest a little the longer on this court topick, because it was much insisted upon at the time of the great change, and has been since frequently revived by many of the agents of that party: for, whilst they are terrifying the great and opulent with the horrors of mob-government, they are by other managers attempting (though hitherto with little success) to alarm the people with a phantom of tyranny in the nobles. All this is done upon their favourite principle of disunion, of sowing jealousies amongst the different orders of the state, and of disjoining the natural strength of the kingdom, that it may be rendered incapable of resisting the sinister designs of wicked men, who have engrossed the royal power.

"It must be remembered, that since the Revolution, until the period we are speaking of, the influence of the crown had been always employed in supporting the ministers of state, and in carrying on the public business according to their opinions. But the party now in question is formed upon a very different idea. It is to intercept the favour, protection, and confidence of the crown in the passage to its ministers; it is to come between them and their importance in parliament; it is to separate them from all their natural and acquired dependencies; it is intended as the control, not the support, of administration. The machinery of this system is perplexed in its movements, and false in its principle. It is formed on a supposition that the king is something external to his government, and that he may be honoured and aggrandized, even by its debility and disgrace. The plan proceeds expressly on the idea of enfeebling the regular executive power. It proceeds in the idea of weakening the state in order to strengthen the court. The scheme depending entirely on distrust, on disconnexion, on mutability by principle, on systematic weakness in every particular member; it is impossible, that the total result should be substantial strength of any kind.

Then having given a most pointed sketch of this new court corporation, he says: "The name, by which they chuse to distinguish themselves, is that of *king's men*, or the *king's friends*, by invidious exclusion of the rest of his majesty's most loyal and affectionate subjects. The whole system, comprehending the exterior and interior administrations, is commonly called, in the technical language of the court, *double cabinet*. This system has not risen solely from the ambition of Lord Bute, but from the circumstances, which favoured it, and from an indifference to the constitution, which had been for some time growing among our gentry. We should have been tried with it, if the Earl of Bute had never existed; and it will want neither a contriving head nor active members, when the Earl of Bute exists no longer." Thus spoke this great man in the unchecked vigour of his mind, ere he had yet discovered the difference between an *Old* and a *New Whig*.

vices.

vices.* The merchants, traders, and citizens of Dublin at this time being the most opulent and considerable body of men in the kingdom, appear to have taken the lead of all their countrymen in watching and forwarding, according to their rights and abilities, the civil interests of the nation; in which they were encouraged and directed by the famous Dr. Lucas, who (after having triumphed over all his enemies and persecutors) now represented them in parliament.

On the very first day of the session of the last parliament (viz. 22 Oct. 1761) the commons ordered, that leave be given to bring in heads of a bill to limit the duration of parliaments: and Dr. Lucas, Mr. Perry, and Mr. Gorges Lowther were ordered to bring in the same.† This favourite and constitutional measure had been most strongly recommended by Dr. Lucas, in imitation of the English septennial bill: he accordingly presented according to order, on the 28th of October, heads of a bill for limiting the duration of parliaments, which were received, read, and committed: several amendments were proposed and adopted in the committee. On the 9th of December, 1761, Mr. Lowther, according to order, reported from the committee of the whole house, to whom the heads of the bill had been committed, that they had gone through the same, which he read in his place, and afterwards delivered in at the table; and they were accordingly read and agreed to. But when a motion was made, and the question put, that the speaker with the house should attend his excellency the lord lieutenant with the heads of the bill, and desire the same might be transmitted into Great Britain in due form, and that his excellency would be pleased to recommend the same in the most effectual manner to his majesty; the house divided, 43 for the motion, and 108 against it. This majority of 65 upon a question so reasonable, so necessary, and so constitutional, shews the rapid decline of the patriotic interest in Ireland after the late changes: the reduction of which was very artfully effected by the two first of the lords justices, Primate Stone, the Earl of Shannon, and Mr. John Ponsonby, the speaker. The house however ordered, that Mr. G. Lowther should attend his excellency the lord lieutenant with the said heads of a bill, and desire the same

* It has often been said, that the late Earl of Chatham was a Tory at heart, notwithstanding his boasted avowals of Whiggism. That in his youth he was a Tory appears more than probable: but it would be too harsh a censure to pass on so great a statesman, to conclude that his conversion to Whiggism was the effect of interest, and not of conviction. Vid. the address, App. No. LXIX.

† 7 Com. Journ. p. 14.

might be transmitted into Great Britain in due form. Thus was Mr. Lucas's first patriotic bill lost, to the no small disappointment and mortification of the people out of doors. It is highly material to observe, that in proportion as patriots fell off in parliament, they sprang up out of it. This ministerial triumph was followed by no popular disturbance, but great discontent: it produced a more alarming effect upon the castle: riot and insurrection they could easily have subdued, and the quelling thereof would have justified the very measures, that had excited them. But the people's cool, considerate, and firm conduct in investigating and peaceably following up their rights and interests, was truly to be dreaded by those, who were attempting to invade and thwart them. After much canvassing the conduct of their popular representatives in parliament on this important occasion, in March 1762 the merchants, traders, and citizens of Dublin having assembled, came to the following resolutions, viz.

“ Resolved, That we shall ever retain the most grateful remembrance of
 “ the several lords and commons, who, in their respective stations, have so
 “ eminently distinguished themselves in support of the Septennial Bill.

“ Resolved, That although we rest secure against common enemies, under
 “ the protection daily given us by Great Britain, our protection against
 “ domestic invaders depends wholly on the limitation of parliaments.

“ Resolved, That the clandestine arts which are usually practised (and
 “ have been sometimes detected) in obstructing of bills tending to promote
 “ the Protestant interest, ought to make Protestants the more active in sup-
 “ porting the Septennial Bill; the rather, as no doubt can remain, that a
 “ septennial limitation of parliaments, would render the generality of land-
 “ lords assiduous in procuring Protestant tenants, and that the visible advan-
 “ tage accruing, would induce others to conform.

“ Resolved, That these, our resolutions, be presented to the representatives
 “ of this city in parliament, intreating they will immediately take into their
 “ most serious consideration, the state of the Septennial Bill, now five months
 “ in its progress; the session of parliament near its end; all aids within the
 “ ability of this nation given with unanimity and cheerfulness to the crown;
 “ and nothing yet known, with certainty, touching this act of redress.”

These resolutions, and other popular expressions of the general discontent at the failure of the Septennial Bill raised an awful alarm in government: and they most unwisely rivetted the convictions of the people, that the

British ministry was against the measure, by a counter-declaration wrapped up in the following resolutions of the House of Commons.*

“ Resolved, That the suggestions confidently propagated, that the heads of a bill for limiting the duration of parliaments, and ascertaining the qualifications of members to serve in parliament, if they had returned from England, would have been rejected by this house, though in nowise materially altered, are without foundation.” Loudly as the public called for such a law, several years passed, and imperious circumstances arose, ere Ireland obtained it. The failure in this attempt did not abate the patriotic efforts of Dr. Lucas. He presented heads of a bill for securing the freedom of parliament, by ascertaining the qualifications for knights, citizens, and burghesses of parliament, and also of another bill for better securing the freedom of parliament, by vacating the seat of such members of the House of Commons, as should accept of any lucrative office or employment from the Crown, or any person on the establishment of Great Britain or Ireland: neither of which succeeded: such was the ascendancy of the court party over the patriots: It was now no longer called the *English interest*, for Primate Stone was too good a politician to keep up that offensive term, after he had so successfully brought over some of the leading patriots to his side, who in supporting all the measures of the British cabinet, affected to do it, still as *Irish Patriots*.

The Earl of Halifax had been recalled to England to succeed Mr. G. Grenville as secretary of state:† and the Earl of Northumberland came over as lord lieutenant to Ireland to meet the parliament, in October, 1763. His speech to the parliament, on this occasion, was expressive of his majesty's just and gracious regard for a *dutiful and loyal people*: he congratulated them on the happy effects of so glorious a peace, and the birth of the Prince of Wales, and also of another prince. The remainder of his speech, referred to the disturbances in the province of Ulster, of which mention has been before made. “ Not only,” said his excellency, “ my duty, but my earnest good wishes for the prosperity of Ireland, oblige me to take this opportunity of mentioning to you, the only unpleasing circumstance, which has occurred

* On the 26th of April 1762. Com. Journ. vol. 7. p. 168.

† This happened on the 14th of October, 1762, which situation he held till July 12, 1765, when he was succeeded by the Duke of Grafton.

since

“ since my entrance upon this government; the tumultuous risings of the
 “ lower sort of people, in contempt of all laws and magistracy, and of every
 “ constitutional subordination, must, if not early attended to, be productive
 “ of the most fatal consequences; they are a disgrace to a country of liberty;
 “ they are ruinous to a country of commerce; and must be particularly
 “ fatal here, where the least check to the rising spirit of industry is so very
 “ sensibly felt, and so very difficult to be relieved; no means can serve more
 “ effectually to prevent these disorders for the future, than the encourage-
 “ ment of such institutions, as tend to impress on the minds of the lower
 “ order of the people early habits of industry, and true principles of reli-
 “ gion.”

It has been before observed,* that the chief of the Munster insurgents, called *White Boys*, were Catholic labourers: and that the chief of the Ulster insurgents called *Steel Boys*, *Oak Boys*, *Peep of Day Boys*, were chiefly manufacturing Protestants in the north: but as religion was no ingredient to these tumultuous insurrections, it was certainly something more than hasty or inconsiderate prejudice in the House of Commons, when in 1762† they appointed a committee to enquire into the causes and progress of the subsisting *Popish insurrection* in the province of Munster:‡ and when in 1764 they appointed a similar committee to enquire into the causes of the late tumultuous risings in the province of Ulster; so far indeed was the house from calling them *Protestant insurrections*, which in fact they were, as much as those in Munster were *Popish*, that when a motion was made and the question proposed, that it should be an instruction to the committee to enquire into the causes of those risings, and into the means used to suppress them, and also to enquire into the causes of the insurrections in the south, and to report the whole matter, as it should appear to them specially, it was negatived in a division upon the previous question of eighty against twenty-six: thus was the door shut against enquiry, probably from apprehension, that the truth should be recorded, and an effectual stop put to the system of converting popular discontents into the engines of state intrigues, to the palpable detriment of the nation: for to know the source of a disorder, is the first step to its cure. When the majority of the house rejected this most

* On the impartial authority of Arthur Young.

† Journ. Com. vol. 7. p. 161.

‡ Ibid. p. 293.

necessary motion for enquiry and report: *they received from their committee several resolutions, which Mr. Bagwell reported to the house, and these they palmed upon the nation, as an efficient check upon the various tumultuous rioters. They were truisms in form of resolutions, that riots existed, that unless checked they would be attended with fatal consequences, that the laws if properly executed were sufficient to restrain the rioters, that it was the duty of magistrates to enforce the law, that to tender oaths, (not being lawfully authorised) with threats and violence in case of refusal, was a high offence punishable by law, and that it would tend to suppress and prevent the like disorders, if the abhorrence in which government and parliament held these treasonable offences, were made known to the deluded people. Such unmeaning generalities could produce no effect. They gave no information: they furnished no redress: they supplied no means: they afforded no security: they effected no restraint.

Notwithstanding the patriots had so often failed in their parliamentary efforts to bring measures into some constitutional consistency, they still persevered, particularly in their attempt to reduce and regulate the pension list. The commons resolved themselves into a committee of the whole house to take into consideration the state of the pensions upon the civil establishment of that kingdom, and how the increase of them might be prevented: but the motion for addressing his majesty on the subject was negatived on a division of 112 against 73. So weak were now the patriots in the commons.† Pensions
con-

* Journ. Com. vol. 7. p. 293.

† This motion being very special and important, will let the candid reader into the spirit, which at that time, (8th of November, 1763) directed the councils of the Irish administration. 7 Journ. Com. p. 198. " A motion was made, that an humble address be presented to his majesty, to
" represent in the most dutiful terms, that the debt of this kingdom is become very great. That
" the pensions now in being, that have been placed on the establishments of this kingdom, are one
" of the causes of the increase of the public debt. That those pensions have been paid, and
" continue to be paid out of all the revenues of this kingdom without distinction. That it appears
" to this house to be worthy of his majesty's royal consideration, whether the grants that have been
" made of those pensions are agreeable to or warranted by the laws of this kingdom, and whether
" the revenues of the crown, that have been given for public uses, ought, or can by law be applied to
" pensions: and therefore most humbly do beseech his majesty to order it to be made known, as
" his majesty's royal will and command, to the officers of the treasury of this kingdom, that no
" part of the revenues of excise, customs, poundage, hearth money, quit rents, ale licences, wine,
" or

continued to be lavished with unchecked profusion. The debate on this question was rather warm. * Mr. J. Fitzgerald took the lead on the patriot side. He stated, (and was not contradicted) that the pensions then charged upon the civil establishment of that kingdom amounted to no less than 72,000*l.* per ann. besides the *French* and *military* pensions, and besides the sums paid for old and now unnecessary employments, and those paid in unnecessary additions to the salaries of others: that the pensions therefore exceeded the civil list above 42,000*l.*: that not only since the house in 1757 had voted the encrease of pensions alarming, had they been yearly encreased; but that in the time of a most expensive war, and when the country had willingly and chearfully increased a very considerable national debt; and when the additional influence of the crown from the levying of new regiments might well have substituted the necessity of new pensionary gratifications. He then drew a piteous portrait of the country; not one third peopled; two thirds of the people unemployed, consequently indolent, wretched and discontented;

“ or strong water licences, or of the additional duties granted or to be granted in this kingdom, for
 “ any limited term, be paid or applied to any pension or annuity granted or to be granted out of,
 “ or which may any ways charge or effect the said revenue of excise, customs, poundage, hearth
 “ money, quit rents, ale licences, wine, and strong water licences, and additional duties, or any of
 “ the said revenues, till it shall first be determined by a court of justice of competent jurisdiction,
 “ that the crown may grant annuities or pensions out of the said revenues; and that his majesty
 “ may be graciously pleased to give his royal orders to the officers of the treasury, that no pensions be
 “ paid out of the said revenues, in any other manner than the judgment or decree of a court of compe-
 “ tent jurisdiction shall determine to be just, and agreeable to the laws of this kingdom; and that his
 “ majesty be graciously pleased to order his majesty's servants of the law in this kingdom, to make
 “ that defence that the laws of this kingdom shall warrant, to every suit that shall be commenced
 “ or carried on by any pensioner or annuitant, claiming any part of the said revenues, till it shall be
 “ judicially determined in the most solemn manner, and by the dernier resort, that the crown may
 “ grant pensions or annuities out of the said revenues. That his majesty's faithful commons never-
 “ theless do by no means intend, that the crown shall be deprived of the means of rewarding merit
 “ or conferring those bounties on proper occasions, that the honour and dignity of the crown may
 “ require; but that his majesty's faithful commons, on the contrary, will be ready to provide a
 “ revenue such as the condition and circumstances of this kingdom shall admit of, to enable the
 “ crown to reward merit, and on proper occasions to confer those bounties that may be suitable
 “ to the honour and dignity of the crown, if it shall be determined, that the present revenues of
 “ the crown, that have been given for public uses, ought not to be applied to pensions. Provided
 “ those revenues be reserved and applied to the support of his majesty's government in this king-
 “ dom only.”

* 1 Cald. Deb. p. 213, 14, 15.

neither

neither foreign trade, nor home consumption sufficient to distribute the conveniences of life among them with reasonable equality, or to pay any tax proportionable to their number; what new mode of taxation could be devised? Would they tax leather, where no shoes were worn, or tallow where no candles were burned? They could not tax the roots of the earth and the water on which the wretched peasantry existed; they could tax no commodity, that would not defeat itself, by working a prohibition. He then entered into the legal and constitutional rights of the crown over the public revenue, and strongly resisted the assumed right of charging the public revenue with private pensions. The crown, he contended, had a public and private revenue; the public it received as a trustee for the public; the private it received in its own right; the former arose out of temporary duties and was appropriated by parliament to specific public purposes, and was not left to the discretionary disposal of the crown. The latter did not in Ireland exceed 7000*l.* per ann. and the pensions amounting to 72000*l.* exceed the fund, which could alone be charged with them by 65000*l.* per ann.

The court party strenuously resisted these arguments, as an unconstitutional and indecent attack upon the prerogative; insisting that the regal dignity should be supported by a power to reward as well as to punish; that the king was not to hold a sword in one hand and a barren sceptre in the other; that the two great springs of all actions were hope and fear; and where fear only operated, love could have no place; that a people stimulated only by fear, however free, and whatever advantages of government they might boast, were in a worse state, than the subjects of a despotic prince. In a word, that an enquiry into the legality of these grants would restrain the king's power of doing good. What the opinion of the government was upon the question, was very explicitly set forth by the regular law-officer of the crown, Mr. Philip Tisdal, the attorney-general; he was of opinion, that the king had an indefinite and uncontrolled right to charge the money brought into the treasury with pensions arising from the words of the preamble of the statutes, by which the several duties were laid: and that the crown had this power with respect to duties raised by the very statutes, that declare them not chargeable with pensions; for that the barring clauses with respect to the hearth money and ale licenses could affect them only before they were brought into the treasury, and that the moment they became part of the aggregate fund,

fund, they were indiscriminately a supply for the exigencies of government and its support.

On another* day, when a motion in the house was carried for taking into consideration the state of the pensions, Mr. R. Fitzgerald took occasion to state to the house, what was not contradicted by those, whose duty as well as disposition it was to correct any false statement, upon matters of so much importance and notoriety. It lamentably proves, that the poverty and dependance of Ireland were wished to be continued by those, who then governed her. Instead of 30 regiments upon the establishment, there then were 42, with the same number of men, viz. 12,000: this augmentation of 12 regiments, besides a large addition of court influence, created an additional expenditure of 15,000*l.* per annum, so that the military establishment then amounted to 100,000*l.* per annum, more than in the height of the war, besides military contingencies and barracks, which amounted to a very considerable sum: that in fact the military and civil establishment with the pensions would only leave 30000*l.* out of the whole revenue of the country; which sum would be more than swallowed up by the artillery and *laboratory*, an amphibious institution, that might be carried on without control: that the staff of general officers in Ireland amounted to 22,000*l.* per annum, though in England it did not exceed 11,000*l.* and notwithstanding, there were seldom general officers sufficient in Dublin to form a board.

The patriots had so managed the enquiry into the pensions, that they had on the 9th of the month brought the house to agree, that the pensions on the civil establishment were an intolerable grievance: on the same day they passed an unanimous resolution, that on the Tuesday following, they should take that grievance into consideration, which they deferred to the next day, when a most violent and angry debate ensued, upon the attorney general's moving, that the question should be adjourned to the 1st of July next: the division for putting off the enquiry was 126, against it 78.†

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* 12 Nov. 1763. 1 Cald. Deb. p. 808.

† 8 Com. Journ. p. 227. In this debate Mr. Pery, member for Limerick, spoke thus: 1 Cald. p. 324. "I am sorry to say that, notwithstanding these resolutions, I have but too much reason to believe the fitting of such a committee was never intended; and I think it my duty to communicate such reason of my belief to the House. As I was coming last Monday from the four courts, in my chair, I was stopped by a particular friend, a gentleman of great worth and consequence, who

The tenacity and perseverance, with which the patriots pursued this abuse of pensions extremely annoyed the court party: they could not have taken more popular ground. A pension of 1000*l.* had been granted to Mr. De Verois, the Sardinian ambassador (in the name of George Charles), for having negociated the peace, which had been lately concluded with the minister of France. On this ground Mr. Pery moved the house, that an humble address* should be presented to his majesty, strongly expressive of the impropriety

who asked me, whether I intended to go that day to the House. I answered, that I did not, as I knew of nothing that made my attendance necessary; and that, as I had been much fatigued by business of the House, and by the courts, I intended to make that a day of rest." He replied, "You may not only take your rest this day, but every other day of the sessions, for things are now fixed so as to admit of no alteration; no enquiry will be made into the state of the pensions, nor any thing else done, but what has been agreed upon with those, who are to take the lead." To this I answered with great surprize, that I could scarce think what he told me was possible: that the House had been unanimous for examination, and had actually appointed a committee for that purpose, but a few days ago; that the public expected it, and to disappoint them in an expectation so reasonable, and on an occasion so important, would be wholly inconsistent with the dignity, as well as the duty of the House, as the members would then appear to be nothing more than state puppets, with wires in their noses; by which they were turned first one way, and then another, just as those, who had the management of them thought fit."

Mr. Pery was interrupted by the attorney general, who addressed himself in a very angry strain to the House. "I hope every gentleman in this House feels a proper disdain at being represented as a puppet, moved by dictates of another's will, and sufficient spirit to shew, by his conduct, that he acts upon principles of freedom and independence, by the determination of his own judgment. As to the enquiry in question, I shall, for my own part, oppose it from a full conviction, that it is unnecessary; what could we hope more from this enquiry, than an assurance from his majesty, that he has considered the grievance, and will redress it? And this assurance he has been graciously pleased to give us already. It is indeed true, that this assurance has not come before the House, with the solemnity of a formal message; but gentlemen seem to forget that his majesty could not communicate it in that manner, consistent with his character and dignity. The intimation to the lord lieutenant is a favour, and, if his majesty is graciously pleased to wave his prerogative in our behalf, are we to expect, that he should do it in a way, that would imply a consciousness of his having abused it? His majesty has, in this instance, treated us with condescension and kindness, of which, I may venture to say, we have no precedent; and shall we return it with remonstrance and complaints? Shall we refuse a favour from our gracious prince, merely because it is not offered in a manner that would degrade himself?"

† 7 Com. Journ. p. 239. 24 Nov. 1763. A motion was made, and the question being put, that an humble address be presented to his majesty, to assure his majesty of the inviolable attachment to his royal person and family; that we have the firmest reliance on his majesty's wisdom, justice, and

priety and mischief of such grants, which produced a still more impassioned debate than the former; the address was negatived by 124 against 58. The prevailing argument on the court side was used by Mr. Gore, the solicitor general. "The voice," said he, "of the majority, is the voice of the nation, and in that once given we ought to acquiesce. Give me leave, Sir, to add, that the majority, by which the late question has been determined, consists of gentlemen of rank and abilities; gentlemen, who have great property to secure, and great characters to maintain; and I think there never fate in any national assembly of any age, or any country, persons, who had more the constitutional rights of the people at heart, or knew better how they were to be maintained." The prominent zeal of Mr. Gore in supporting the court party was soon rewarded; he was raised over the head of Mr. Tisdall, the attorney general, to the head of the King's Bench, and was soon after created Lord Annaly. With unrelenting perseverance the patriots followed up this popular ground of opposition. On the 13th of December Mr. Pery again came forward, and although he had been very unfortunate in the proposals, that he had made with a view to the public advantage, yet, said he, it was his duty to persevere; let the current therefore run ever so strongly against him, he was determined to strive against it to the last; and though he might not be able to stop, or turn its

and tender regard for his subjects of this kingdom; but that we should fail in our duty to his majesty, and desert the trust reposed in us by those we represent, should we longer defer laying before his majesty the real state of this kingdom, which we have some reason to fear may not yet have been fully presented to his majesty's view. That we presume to do so from a firm persuasion, that his majesty will not believe, that we are prompted to it by the spirit of faction, but impelled by the necessities of the kingdom; and that we have nothing in view but his majesty's honour and prosperity of our country. That during the late successful war we exerted our utmost efforts for the support of his majesty's government, and to raise such supplies as his majesty thought necessary for his service, though it was with the greatest difficulty we could even provide for payment of the interest of the sums we were obliged to borrow for that purpose. But at the same time we could not without the utmost concern observe, though we lamented it in silence, the great continual encrease of pensions, and that a considerable part of the sums, which were destined for public uses, were diverted to private purposes. That this is one great cause of the heavy debt, which oppresses the kingdom, and which we can scarce ever hope to discharge, deprived as we are of those resources from trade, with which the other parts of his majesty's domains are blessed. That any considerable addition to this burthen must depopulate this kingdom, already much exhausted of its inhabitants. That we presume with all humility to lay these our circumstances before his majesty, not doubting, that they will excite in his royal breast those sentiments, which are so natural to his princely disposition.

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course, his resistance to it would at least prevent his being carried away before it.* He accordingly moved, though with his usual want of success, that an humble

* Mr. Pery's introduction to his motion is so illustrative of the history of his country at this critical period, that the reader will thank me for subjoining it. 2 Cald. p. 578. "I have greater reason to hope for success in my present proposal, than in any that I have yet made, for it is a proposal to do what his majesty has, in the most gracious and emphatical manner, recommended to be done in his speech from the throne, the practice of œconomy, and the reduction of our debt." The words of the speech are these, "The situation of public affairs will permit a very considerable diminution of the public expence, and I am only to thank you for your past efforts, without again having recourse to the experienced liberality of parliament, I have nothing to ask but a continuance of the supplies, for the support of the ordinary establishment, which, it is hoped, will not exceed the produce of the ordinary revenue, and I recommend to you a proper attention to the reduction of the public debt." I am sorry there should be any occasion to enforce an address, with which it is so manifestly both our interest and duty to comply, yet certain it is, that we have so far neglected it, that a conduct directly opposite to that here recommended has already brought us to the verge of ruin, and, if continued, will plunge us to the bottom. That I may not appear to create evils, which I do not find, I shall represent the present situation of this country by a series of facts, too notorious not to be believed, and too formidable not to be feared; by which it will appear, that we have tamely and silently acquiesced in the violation of these assurances, and totally neglected this advice. We have been so far from being relieved from the burthen of taxes, which, when they were indispensibly necessary, we were little able to bear, that an unexpected requisition of supplies has been made with a long train of pensions, which exceed the expence of all other branches of the civil establishment, by above forty-two thousand pounds. The number of military officers is increased, not only far beyond what it has ever been in time of peace, but even beyond what it has ever been during the most dangerous war. We have two more regiments of dragoons, and four regiments of foot, more than ever; besides four old regiments of horse; the expence of general officers is increased no less than thirteen thousand pounds a year, though there were not a sufficient number of them in this kingdom, to attend the last reduction of forces; the expence of the ordnance is, in two years, swelled from ten thousand six hundred pounds, to above forty-five thousand pounds, though the whole artillery of the kingdom is not equal to the ordnance of a frigate of thirty guns, and every other branch of the civil and military establishment is increased nearly in the same proportion, so that the expence of the nation for these two years appears, by the most exact calculation, to exceed its whole revenue more than three hundred and fourteen thousand pounds, which deficiency being added to the national debt, we must at the next meeting of parliament owe more than one million. It appears also by calculation, that the present establishments in time of peace exceed the establishments during the last war more than ninety-seven thousand pounds. Let us now, sir, pause a moment, and consider what we have been doing; and how we have availed ourselves of a situation of affairs, which admits a considerable diminution of the public expence; how we have fulfilled his majesty's gracious admonition to attend to the reduction of our public debt? We have granted all the supplies, that have been demanded for the support of these establishments.

humble address should be presented to his majesty on the state of the nation, and respecting the encreased expence of the civil and military establishments; and as that address contains an authentic statement of the real situation of Ireland at that time, it follows in the very words of the motion: “ *I move
 “ that an humble address be presented to his majesty, to acknowledge with
 “ the utmost gratitude his majesty’s most gracious acceptance of our past
 “ services. To assure his majesty of our firm resolution to pursue such
 “ measures, as shall tend most to promote the real interest and honour of
 “ the crown. To express the general satisfaction and joy, with which his
 “ majesty’s most gracious declaration, communicated by his excellency the
 “ lord lieutenant to both houses of parliament at the opening of the session
 “ was received, viz. “ That by the conclusion of a general peace we were at
 “ length relieved from those burthens, which were unavoidable during a
 “ war. That the situation of public affairs would permit a very considerable
 “ diminution of public expence, that nothing was to be asked, but the
 “ continuance of supplies for the support of the ordinary establishments,
 “ and that his majesty thanked us for our past efforts, without again having
 “ recourse to the experienced liberality of parliament.”—That from these
 “ assurances, we drew the most flattering expectations of reducing the national debt, and relieving the impoverished people from the burthen of
 “ those taxes they were so little able to bear: but that these pleasing hopes
 “ were soon blasted by the unexpected requisition of supplies, to support
 “ a civil establishment, loaded with a long train of pensions, the amount of

establishments, however unsuitable to the circumstances of the kingdom, however unsupportable to the people, however contrary to the declarations from the throne, however incompatible with an attention graciously recommended from it. Let our zeal and affection for his majesty be our apology, and an unlimited confidence in his goodness be our praise; but let us at least apprize him of the sacrifice we have made; let us with all humility represent the danger we have incurred; let us solicit his protection, and though we have given up our all, and even more than our all, he will not keep it to our destruction. We have read of a prince, who, when he was fainting with thirst and water was brought him at the risk of life, refused to drink it, “ God forbid (said he) that I should drink the blood of these men;” can we then imagine that our gracious sovereign will drink the blood of this nation, that he will use his power, which he has derived from the ardour of our affection to our ruin? Our duty both to him, and ourselves, requires that we should at least apprize him of what we have done, that we may not be left to perish, merely because our danger was not known, nor suffer by a sacrifice, of which the value to us is infinite, but to him, who receives it nothing, for ultimately his glory and prosperity is ours.

* 7 Com. Journ. p. 255.

“ which, exclusive of the French and military, exceeded the expence of all
“ the other branches of the civil establishment, in the sum of 42,627*l.* 19*s.* 2*d.*
“ many of which were publicly bought and sold in the market. That the
“ number of officers upon the military establishment is encreased, not only
“ far beyond what it ever was in time of peace, but even beyond what it
“ was in the time of the most dangerous war, and would, under any reign
“ but that of his majesty, raise just apprehensions for the constitution, not
“ only of this kingdom, but that of Great Britain. That instead of six
“ regiments of dragoons and twenty-six of foot, (the most ever before seen
“ in this kingdom) there are eight regiments of dragoons, and thirty of
“ foot, besides the four old regiments of horse. That the expence of gene-
“ ral officers is raised from 30,000*l.* in two years to 45,000*l.* though there
“ was not sufficient number of them in the kingdom to attend the last reduc-
“ tion of the forces. That the expence of the ordnance is swelled from
“ 10,600*l.* in two years to 45,070*l.* independent of its extraordinary charges,
“ which are very considerable, though the whole artillery of this kingdom
“ is not equal to the ordnance of one of his majesty's ships of thirty guns.
“ That every branch of the military and civil establishment is advanced
“ nearly in the same proportion. That from principles of duty and affec-
“ tion to his majesty, we granted the supplies which were demanded from us in
“ his majesty's name, for the support of these several establishments, however
“ insupportable to the people. But though the warmth of our zeal and affection
“ for his majesty induced us thus liberally to grant those supplies, our duty
“ to him and those we represent will not permit us to conceal from his ma-
“ jesty or the public the real state and condition of this kingdom, which we
“ shall lay before his majesty with all humility, and cast ourselves at his majes-
“ ty's feet, to implore his royal protection against his ministers. That the ex-
“ pence of the present military establishment amounts in two years to the
“ sum of 980,955*l.* 19*s.* The civil establishment to 242,956*l.* 10*s.* 9*d.*; to
“ which must be added at the most moderate computation 300,000*l.* for ex-
“ traordinary and contingent expences of government. That these sums
“ added together amount to the sum of 1,523,312*l.* 9*s.* 9*d.* That to answer
“ this expence, the whole revenue of this kingdom, the additional as well
“ as hereditary duties, exclusive of the loan duties, which are but barely suf-
“ ficient to pay the interest of 650,000*l.* the present national debt, amount
“ to the sum of 1,209,864*l.* at a medium for fourteen years; so that the ex-
“ pence

“ pence of the nation for these two last years, must exceed its whole revenue
“ in a sum of 314,248*l.* 9*s.* 9*d.* which deficiency being added to the national
“ debt, must leave this kingdom at the next meeting of parliament near
“ 1,000,000*l.* in debt. That the highest establishment we ever had in time
“ of peace in this kingdom, were those in the two years ending in March
“ 1755, and yet the present establishment exceeds them in the sum of
“ 283,028*l.* 9*s.* 9*d.* That during the late expensive war, the establishments
“ amounted at a medium, only to the sum of 1,125,790*l.* for two years, so
“ that the present establishments in a time of peace, exceed the establish-
“ ments in the last war in the sum of 97,522*l.* 9*s.* 9*d.* That we have already
“ contracted a new debt of 100,000*l.* though we expected to have discharged
“ part of the old. That the imports, exports, and home consumption of
“ this kingdom are already taxed to the utmost they can bear. That any
“ addition to these taxes, instead of encreasing, must lessen the revenue.
“ That nothing now remains to be taxed but our lands, which are already
“ loaded with quit-rents, crown rents, composition rents, and hearth-money.
“ That if the present establishments are to continue, the debt of the nation
“ must constantly increase, and in the end prove the utter ruin of the king-
“ dom. That such is the true, but melancholy state of this country, which
“ nothing but his majesty’s most gracious declarations, signified to us by his
“ excellency the lord lieutenant, could have given us confidence to have
“ laid before him, and which we do, that his majesty may judge how far his
“ most benevolent intentions have been pursued. That we presume not to
“ point out any particular method of redress, fully persuaded as we are, that
“ when his majesty shall have been thus fully informed of our real circum-
“ stances, his wisdom, his justice, his humanity, will not permit the utter ruin
“ of a dutiful, a loyal, an affectionate people.”

In tracing, combining, and reflecting upon the events, which fall to the lot of the historian to retail in their order and succession, it is often impracticable to deduce particular effects from their real causes. The great mass of the people in Ireland, the Roman Catholics, who by their exemplary forbearance and unfeigned loyalty since the revolution, had not only borne up against the severest persecution, but defeated the keenest provocation, were thereby secured in the affections and confidence of all impartial and unprejudiced Protestants: and the eminently paternal indulgencies of our gracious sovereign to that body forbid us to harbour a doubt, whether his Irish
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Catholic subjects did not ever possess an extraordinary share of his royal tenderness and affection. But there then was, and it is feared, still is in Ireland, a certain description of persons, (it would be little flattering to the established church to admit them in any manner into their Pale, by calling them *Protestants*) whose innate acrimony and vindictive cruelty, hold the place of humanity, sympathy, and Christian charity: who professed themselves at all times enemies by principle, and persecutors by disposition of their Catholic countrymen: these were ready instruments in the hands of the *ambitious prelate*, to whose intrigues Lord Clare attributed all the party heats and animosities, that so long disturbed and degraded their parliamentary proceedings. As long as Primate Stone lived,* he pursued the Machiavelian policy of keeping the Irish a divided people, and by that wicked system of supporting the *English interest* by reducing each party beneath the court party; to encrease which he set œconomy, delicacy, and justice at defiance. To the prevalence therefore of his influence, is to be attributed the failure of the first modest effort in favor of the Catholics, during the present reign.

On the 25th of November, 1763, Mr. Mason rose in his place and reminded the house, that in the last session of parliament,† a bill had passed without a division

* He died the 19th of December, 1764.

† One laments that the journals of parliament are to be so little relied on, when matter relating to the Catholics is the subject of entry. My former remarks on that subject are confirmed, but not explained by this unaccountable omission to notice the passing of that bill, upon a division in the last session, or of Mr. Mason's notice to bring in similar heads of a bill for the same purpose on a future day. In this particular, it is wholly improbable, that Sir James Caldwell should not be accurate in his report of this matter (2 vol. p. 511) as he had entered so deeply into the question, as to have published a pamphlet of great acrimony against it, entitled *A brief Examination of the Question, whether it is expedient either in a Religious or Political View to pass an Act to enable Papists to take real Security for Money which they may lend*. So anxious was this knight for the success of his pamphlet in prejudicing the minds of the public against the heads of the bill, that he published it only at eight o'clock in the evening of the Saturday preceding the Monday, on which the heads of the bill were appointed to be taken into consideration: too late certainly for a question of that importance to the nation to be fairly replied to, had it been the wish of the author to have the question impartially canvassed. The pamphlet was a hasty and virulent compilation of all the calumnies, that had been thrown upon the Catholics, since Protestants existed; with a most barefaced invention of his own, that the pope's legate, who always resides in Ireland, had interdicted seven Roman Catholic bishops, for having, when the insurrections of the *White Boys* were at the highest, ordered his majesty to be prayed for in all the Roman Catholic chapels of their dioceses, and

division for empowering Papists to lend money on the mortgages of real estates, that it had been lost in England, for what reason he knew not, as he thought the passing of it would have been of great advantage to that kingdom. He contended that at present, Papists could take only personal security for money they lend, which was certainly a great hardship upon them, and, he should endeavour to shew that it was also a great disadvantage to the public. As the public was nothing more than an aggregate of individuals, the suffering of an individual, is a disadvantage to the public in the proportion, which that individual bears to the whole, supposing the suffering of the individual to terminate entirely in himself; now Papists making one part,

and that these seven bishops had sent in a paper to the lord lieutenant to complain of this legatine interdict, and that they afterwards entreated the lord lieutenant to return their paper, which his excellency refused. There had been no pope's legate or any person vested with legatine authority in Ireland for above a century: and it is matter of notoriety, that the king was prayed for in every Roman Catholic chapel throughout Ireland: nor did one of the whole body of Catholic bishops refuse to concur with the rest in enjoining this duty to their flocks: nor was any such paper presented to Lord Halifax, that could by the most artful malice be distorted into an instrument of the tendency, which that over zealous knight had imagined. Besides this incredible fiction, he hazarded a most malicious assertion, which the experience of all times falsifies: viz. *that no Papist has ever as yet been known to take the oath of allegiance*; when it was notorious, that the Roman Catholic gentlemen of Ireland did take the oath of allegiance to King William and Queen Mary, which was all they required of them as a test of their fidelity: and which they most religiously observed, as has been seen. This active knight discovered the most dreadful consequences, and predicted the infallible ruin to the constitution, if Papists were by law enabled to have real security for their money lent: not reflecting at the same time, that for the space of fifty years, during which the Catholics had invested money on real securities and sued out *elegits*, it never had been doubted, till lately, that they had not a legal right so to do: and more especially, as many of the legislators of the laws of Ann were then living, many of them gentlemen at the bar, and some of them, after the passing of those laws, judges on the bench, who should naturally be well able to interpret those laws, and it is to be presumed would not have permitted them to be so misunderstood and violated. This knight was one of the instruments privately used by Primate Stone to prevent any precedent being set of a relaxation in the Popery laws, his grace foreseeing in that the probable coalition of Protestant and Catholic in the interests of Ireland, and consequently the sure and immediate overthrow of the *English Interest*, which he and his predecessor Boulter, had so effectually reared, cherished, and supported, in direct opposition to the native or country interest. The liberality and paternal affections of our gracious sovereign for his Irish subjects, threatened immediate demolition to that factitious and monstrous fabric, which under that primate had been supported with the most corrupt buttresses; it is said, that his despair of maintaining the system he had so long and so arbitrarily controlled, contributed not a little to his dissolution, which was premature, considering his age and extraordinary strength of constitution.

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and a very considerable part too, of that community, it was certain, that the community must suffer with them, supposing their peculiar disadvantages to affect only themselves; but, in this case, their disadvantage affects other parts of the community; if the Papists be prohibited from lending upon such security, as is thought a sufficient indemnification, which, with respect to mere personal security, in such a country as this, cannot be the case, it is certain, that the Protestant is continually restrained from borrowing, and yet borrowing and lending are mutual advantages. It might, perhaps, be replied, that though the disadvantages, under which the Papists are laid, by what are called Popery laws, are, indeed, disadvantages to the public, yet the disadvantages to the public would be greater, if the Papists were admitted to all the privileges and immunities of Protestants; that they had in that case the power only of chusing the least of two evils, the different religious opinions of the inhabitants of that country making a certain degree of evil inevitable. But, in answer to this, he observed, that, with religious opinions, any farther than they include political principles, affecting civil government, they had nothing to do. The Protestant religion was founded upon the right of private judgment. They renounced the infallibility of the pope, and it would be absurd, indeed to set up, instead of it, an infallibility of the state; as Protestants they must therefore upon their own principles, admit that the opinions of those, who differ from them may possibly be true; and opinions, that may possibly be true, they had certainly no right to punish. They might indeed, and they ought to keep the power of hurting out of the hands of those whose principles would lead them to exert it; but he thought the Papists a much more formidable enemy, as an inmate, in the possession of ready money, than in the possession of a mortgage deed. Money was always power, and that money which is placed in Protestant hands, upon mortgage, is power in favour of the state; the same money, in the hands of the Papists unlent, supposing the Papist to be an enemy to the state, was power against it. Besides money was not a local, but transitory property; a Papist, possessed only of money, has no local interest in the country, but a Papist mortgagee had; he would be engaged to support the government in point of interest: his security for his money was good, while government subsisted, and in the convulsion, that always attends the subversion of government, it would at least become doubtful; besides, the greater the advantages, which the Papists receive under the present constitution, the more they must desire its continuance,

continuance, and he would venture to say, that if the Papists were to be admitted to all the privileges of Protestant subjects, there would scarce be a practical Jacobite among them, whatever there might be in theory. I should therefore be glad, that the bill should have another trial, and shall therefore move for leave to bring in heads of a bill, to empower Papists to lend money on the mortgage of land, and to sue for the same.

Mr. Le Hunte said, that he thought the bill proposed, would eventually make Papists proprietors of great part of the landed interest of the kingdom, which would certainly extend their influence, and that it was dangerous trusting to the use they would make of it, upon a supposition, that their interests would get the better of their principles. That the act mentioned to have passed the last sessions, did not pass without a division, there being a majority of no more than twelve in its favor, and that it would not have passed at all, if it had not been for some artful management, it being brought in the very last day of sessions, when no more than sixty-two members were present. He therefore begged, that the honourable gentleman would postpone his motion till Monday, as the house was then thin, and gentlemen would thus have time to consider the subject, which was of very great importance. He added, that as there was reason to suppose it to be the general sense of the house, that such a bill should not pass, he thought it would be better, that no heads of such a bill should be brought in, as it was cruel to raise expectations, which would probably be disappointed.

Mr. Mason consented to postpone his motion. Accordingly on the 3d of February, 1764, Mr. Mason presented to the house, according to order, heads of a bill, to ascertain what securities may be taken by persons professing the Popish religion, for money lent or to be lent by them; and also what remedies they may have recourse to, for recovery thereof; which were received and read. When a motion was made, and the question being put, that the said heads of a bill be rejected, the house divided 138 for the rejection, and 53 against it. Another motion was then made, and the question being put, that leave be given to bring in heads of a bill to enable Papists to take securities upon lands, but in such manner, that they might not meddle with the possession thereof, which was immediately negatived by a majority of 44. I have been the more particular in detailing the failure of this first effort to break in upon the penal system, in order to draw the reader's attention the more closely hereafter to the rapid and wonderful progress

gress of the public mind, when once the dense fogs of bigotry, prejudice, and fear had been cleared away.

We are now fast approaching to that period in the Irish history, to which Lord Clare alluded in his memorable speech for the Union, when he said, that the system built by the intrigues of that ambitious ecclesiastic would beat down the most powerful nation of the earth, when *the government of England at length opened their eyes to the defects and dangers of it; when they shook the power of the Aristocracy, but were unable to break it down.* Whilst Primate Stone,* whose primary view was to realize his own system of politics, lived, the party, which he commanded could ensure any question whatever. Thus they often tantalized the public by consenting to preliminary popular motions, which it was intended ultimately to resist and reject: so upon the motion of Mr. Bagnall, leave was given to bring in heads of a bill for better securing the liberties of the subject.† What those heads were, no where appears:

* Of this prelate and of his political situation, power, and system, the Rev. Dr. Campbell, an ingenious and enlightened author, thus spoke, in 1777 (*Survey of the South of Ireland*, p. 55):

“ Stone was a man of considerable abilities, but more of the politician, than the prelate; he devoted his life to the supporting a party in the Irish parliament. It is said, that when he went over to London, to consult the gentlemen of the faculty on his state of health, he very candidly said to them, ‘ Look not upon me as an ordinary churchman, or incident to their diseases, but as a man, who has injured his constitution by sitting up late, and rising early, to do the business of government in Ireland.’

“ They consider his death an æra in the polity of this kingdom; for had he lived till now, he would have been always one of the lords justices, with the power of the whole; and of course business would have been conducted in the usual way. Administration would have continued to throw all its power into his hands.”

† Such rejections of the most constitutional and necessary proposals for the civil liberty of the subject were no novelties to Ireland; for soon after the Bill of Rights had passed in England, the following heads of a similar one for Ireland were presented for transmission by the Irish parliament to Lord Capel, then lord deputy of Ireland, on the 14th of October, 1659, of which no more was heard:

Heads of a Bill of Rights.

“ 1. That the pretended powers of suspending of laws by regal authority, without consent of parliament, is illegal.

“ 2. That the pretended power of dispensing with laws, or the execution of laws by regal authority, as hath been assumed or exercised, is illegal.

“ 3. That levying money for, or to the use of the crown, by pretence of prerogative, without grant

pears: nor do we find the patriotic sentiment ever after followed up; although the non-resistance of the motion in the first instance occasioned an intemperate effusion of public dissatisfaction. Inexpressible, though silent, were the grief and disappointment of the Catholics at the failure of this application to the favor of the legislature, not in fact for any new favor or indulgence, but for assuring to them a continuance of a capacity to take real security for their money, which the astute attempts of some of their enemies had only lately began to question. Thus was the healing draught of leniency and mercy dashed with relentless harshness from their eager lips; and all their flattering prospects of being received into the fostering arms of their king and constitution at once defeated. Their despondency was not of long duration: their oppression formed the base of the then Anglo-Hybernian system of government: the deaths of Primate Stone and the Earl of Shannon, in December, 1764, put an end to that system; and from thence a new scene opens itself to our view. To this moment of Irish history it is, that Lord Clare alluded, when he said, "*the government of England at length opened their eyes to the defects and dangers of it: they shook the power of the Aristocracy,* but were unable to break it down.*"

Although

" grant of parliament, for longer time, or in other manner than the same is, or shall be granted, is illegal.

" 4. That it is the right of the subject to petition the king, or the chief governor or governors of the kingdom, for the time being, and all commitments or prosecutions, or threats for such petition, are illegal.

" 5. That the subjects which are Protestants may have arms for their defence, suitable to their conditions, and as allowed by law.

" 6. That the freedom of speech, and debates on proceedings in parliament, ought not be impeached, or questioned, in any place out of parliament.

" 8. That juries ought to be duly impanelled and returned, and juries which pass upon men in trials for high treason, ought to be freeholders.

" 9. That all grants and promises, fines, forfeitures of particular persons before conviction, are illegal and void.

" 10. That for redress of all grievances in this kingdom, and for amending, strengthening, and preserving the laws, parliaments ought not to be dissolved, as they have been in the late reigns.

" 11. That the free quartering of soldiers on any of this kingdom, in time of peace, is arbitrary and illegal."

* This Aristocracy is thus described by Dr. Campbell (*Phil. Surv. p. 56*): "In this nation are three or four grandees, who have such an influence in the House of Commons, that their coalition would, at any time, give them a clear majority upon any question. It has, therefore, always

Although the deaths of two of the lords justices made an opening to many great events, no immediate effects ensued of sufficient importance to arrest the reader's attention. The Lord Chancellor Bowes, and Mr. Ponsonby, the speaker of the House of Commons, were created lords justices, to whom afterwards the Earl of Drogheda was joined; and from the change of system they were the last lords justices ever appointed. Lord Viscount Weymouth was appointed lord lieutenant, but he never went over. The Earl of Hertford met the parliament in 1765.

In December, 1765, died, at Rome, the famous Chevalier de St. George, only son of James II. he was the subject of the political fable of the Warming Pan: he supported a long life of misfortunes, sufferings, and retirement with great Christian forbearance and equanimity. As his attempt to recover the British throne, in 1715, and his son's effort to the same end, in 1745, had made no sensation in Ireland, little is it to be wondered, that his death was scarcely known or thought of in that country; although many of the then existing generation, through every part of the British empire, had taken an active share in the attempts to replace him on the throne of his ancestors.

Although by the management and power of the British cabinet the number of the patriots in the Irish parliament had been greatly reduced, their spirit was not subdued: they again returned to the charge of the pensions; *and on the 6th of December, 1765, a motion was made, and the question being put, "That an humble address be presented to his majesty, to assure

" always been a maxim of government to disunite these factious chiefs. And, still further to disable opposition, it has been thought expedient to disengage, as much as possible, the followers from their leaders. This was attempted by Lord Chesterfield, so early as the year 1745, but his stay was too short to effect it.

" Formerly, these principals used to stipulate with each new lord lieutenant, whose office was *bien mal*, and residence but for six months, upon what terms they would carry the king's business through the houses; so that they might, not improperly, be called undertakers. They provided, that the disposal of all court favours, whether places, pensions, or preferments, should pass through their hands, in order to keep their suite in an absolute state of dependence upon themselves. All applications were made by the leader, who claimed, as a right, the privilege of gratifying his friends in proportion to their numbers.

" Whenever such demands were not complied with, then the measures of government were sure to be crossed and obstructed; and the session of parliament became a constant struggle for power, between the heads of parties, who used to force themselves into the office of lord justice, according to the prevalence of their interest."

* 8 Journ. Com. p. 64.

" him

“ him of their inviolable duty and zealous attachment to his person and government. That it affected them with the deepest sorrow to find, that the pensions in general on the establishment of that kingdom had greatly increased of late years, insomuch as to have amounted to the sum of 158,685*l.* 4*s.* 8½*d.* in the two years ending at Lady-Day, 1765. That many of those pensions had been granted for long terms of years, and for lives, and had been made payable out of the revenue at large. That they had long been the causes of silent disquietude; and were of late become the subjects of universal murmur and complaint. That they should think it a breach of the trust reposed in them, longer to conceal from his majesty the grievances of his faithful subjects, and by such omission to postpone for a day that redress, which with the utmost confidence they expected from the dictates of paternal affection, and the suggestions of royal justice.” This motion was negatived by a majority of 119 against 41.

It is, even at this distance of time, lamentable to behold the vigorous exertions of the British cabinet to secure an *English ascendancy* in the Irish parliament, and at the same time an imperious reluctance to use that very ascendancy for the welfare of the Irish nation. Indigence and distress pervaded the whole kingdom: the increasing tumults, insurrections, and outrages of the *Steel Boys* and other insurgents in the North, created serious alarm in the minds of all those, who really looked to and felt for the well-being of their country. Accordingly on the 23d of May a motion was made, and the question was put, * “ That an humble address be presented to his majesty, expressing, in the strongest terms, the full confidence of his ever loyal subjects of Ireland, in his majesty’s justice and parental affection for that kingdom. And representing to his majesty, that his faithful commons of Ireland apprehending that it was a part of their bounden duty to lay before his majesty, for his consideration, such grievances of his people, as they judged might be most deserving of his notice, and as they feared he might not otherwise be fully informed of, from a sense of their duty, presumed to acquaint his majesty, that in many instances the laws of their land were less resorted to, revered, and observed by the lower class of people, at that time, than had been usual theretofore in that kingdom, or than was becoming a people, who enjoyed the blessing of a free government, of which

* 8 Journ. Com. p. 141.

“ the

“ the commotions in several parts of that kingdom, were but too plain and
 “ striking examples. That one principal source of these evils consisted in the
 “ appointing persons of mean abilities, and totally unacquainted with the
 “ state and municipal constitution of Ireland, to the ministration of justice in
 “ the supreme courts of law in that kingdom; by the means of which, all
 “ law suits were protracted to an excessive length, and the expences of them
 “ were rendered intolerable, the security of persons, of life, and of property,
 “ were daily diminished and made more precarious; the laws, instead of be-
 “ ing considered as the protection, were become the oppression of the people,
 “ and in the place of being obeyed and loved, appeared too often con-
 “ temptible or disgusting from the incapacity, which sometimes was found in
 “ those, who were entrusted with the execution of them. That his majesty’s
 “ faithful commons, in that humble representation, were by no means de-
 “ sirous of making any distinction between the subjects of different parts of
 “ his dominions; with gratitude they acknowledged, that in former times
 “ judges of the most illustrious abilities had been sent from Great Britain
 “ into that kingdom, to the furtherance of justice, and the manifest advan-
 “ tage of Ireland; particularly in the instance of that great man, who had so
 “ long and ably presided in his majesty’s High Court of Chancery, to the
 “ universal satisfaction of all ranks of people; neither could they, with jus-
 “ tice, omit expressing their approbation of such of their present judges as
 “ were natives of that kingdom, whose conduct and abilities were, in their
 “ opinion, irreproachable. That his majesty’s faithful commons did not
 “ presume to point out to his majesty any remedy for those evils, relying, with
 “ the firmest confidence, on his majesty’s wisdom, and experienced affection
 “ for his whole people.”

This address spoke too much truth, not to be opposed: on a division it was
 negatived by a majority of 71 against 35. The decrease of the numbers of
 the patriots on this division roused those, who had not yet been bought off,
 to bring forward instantly some motion, which should at least convince the
 nation of the corrupt means, by which their rights and interests were sacri-
 ficed by a venal majority to the *English interest*.

On the very next day* a motion was made, that an humble address be pre-
 sented to his excellency the lord lieutenant, representing to his excellency,

* 24 May, 1767. 3 Journ. Com. p. 143.

that

that the Commons of Ireland, with hearts full of the sense of their miserable condition, yet supported with the hopes they had of his administration, had cheerfully contributed to all such supplies as had been demanded from them, and that they did not despair of his goodness being extended towards them in such a prudent and gracious manner, as might afford them relief, according to their present exigencies of their condition; and therefore humbly requested his excellency would be graciously pleased to lay, or order to be laid, before that House all the proceedings of the privy council in March last, relative to the suppression of heads of a bill, intitled, *A Bill for the better securing the Freedom of Parliament, by ascertaining the Qualification of Knights, Citizens, and Burgeſſes in Parliament*; and humbly requested, that his excellency would order all the patents granted in reversion or in possession during that administration to be laid before the House; and that his excellency would use his influence, that no more reversionary grants should be disposed of in that kingdom, inasmuch, as they debilitated the crown in present, and might be attended by the imposition of new burdens upon the public. On which the court party moved, and of course carried their motion, that in lieu of the words, *the sense of their miserable condition*, they should insert the words, *their happy condition under his majesty's auspicious government*. The heads of the bill alluded to in this motion were for septennial parliaments, an object, to which the whole Irish people then most earnestly bent their thoughts. In a limitation of parliaments, they saw the only remaining check against the open and gigantic system of venality, under which all parliamentary process was then carried on. Throughout every part of the kingdom resolutions and addresses were carried in their county meetings in favour of that measure. The citizens of Dublin publicly and pointedly declared their sentiments in their spirited instructions to their representatives to support the measure.*

All

* The Merchants, Traders, Freeholders, and Citizens of Dublin, presented the following Address to their Representatives.

“ GENTLEMEN,

“ HAVING authentic intelligence, that the bill, upon which the Protestant interest and freedom of this kingdom depend, is dropped in Great Britain: and finding, that every attempt made by the Commons of Ireland, strengthened by the united and general voice of all ranks and denominations of Protestants, to obtain a law for limiting the duration of parliaments, has hitherto proved ineffectual, we cannot but think, the Commons of this kingdom will stand justified in following the example given by the Commons of England on a similar occasion, at the late

All these efforts of the patriots in parliament, and of the people without, were ineffectual. The heads of the bill were introduced, agreed to, and transmitted, but arrested in their progress by the English privy council. Here again the vice of the old system of governing Ireland was manifested in the answer given by the lord lieutenant to the address of the Commons.* "I have," said his excellency, "received information of the most authentic nature, that the bill for limiting the duration of parliaments will not be returned during this session. I shall however fully lay before his majesty the sentiments of the House of Commons, contained in this address, and shall renew the representations, which I have already made in the strongest and warmest manner, in favour of such a law." It was an insult to the understanding and respectability of the people of Ireland, that the lord lieutenant should pretend to act in opposition to the British cabinet, and recommend a measure, which they avowedly opposed.† The patriots moved for a very strong and pointed address to be presented to his majesty, which spoke a language of too much firmness and independence to be relished by the court party, and it was negatived upon a division of 117 against 29.‡ A more moderate

late glorious Revolution, that grand æra of British liberty. We, therefore, as citizens and freeholders of this metropolis, thinking ourselves bound to stand foremost in all national measures, have taken the earliest opportunity to declare our sentiments upon this most interesting event, and to intreat, that you will never give your assent to any money bill of longer duration than three months till a law passes in this kingdom for a septennial limitation of parliament."

(Signed by William Rutledge, Richard French, Esqrs. High Sheriffs, and upwards of 800 merchants and traders.)

* 8 Journ. Com. p. 132.

† By natural effect, the Union must put an end to the unwarrantable, but too frequent and successful practices of shifting responsibility and playing off the different wills, powers, and commands of the sovereign and his viceroy, the British cabinet and the Irish administration, the Irish legislature and the Irish people, against each other, as the political juggle of the moment required. The principles of union must now direct the powers of government to a common focus.

‡ 8 Journ. Com. p. 132. A motion was made, and the question being put, that an humble address be presented to his majesty, testifying, in the strongest terms, our inviolable attachment to his person, family and government, and lamenting, that we are obliged to mingle with the effusions of our zeal and loyalty our solicitude for the return and our concern at the delay of the bill for limiting the duration of parliaments in this kingdom: a delay which we conceive to arise from some misrepresentation, inasmuch as we have the firmest reliance and the fullest confidence in his majesty's royal beneficence and justice; virtues which in their own operation must incline his majesty to

moderate address was however moved for by the patriots on the next day, testifying their ardent and inviolable attachment to his sacred person and government, and imploring his majesty, that he would suffer the universal prayers of his loyal people of Ireland to assist the representations and endeavours of his chief governor of that kingdom towards inducing the best of princes to return his most faithful subjects the bill transmitted to Great Britain for limiting the duration of parliaments; which the patriots carried by a majority of two voices, there being 90 for and 88 against the address. His majesty's answer to the address did not appear very gracious to the addressers. " His majesty has received the address of the House of Commons on " the subject of a bill some time transmitted for limiting the duration of par- " liaments. The sentiments of his faithful commons were already known to " his majesty by their passing the heads of that bill: nor can any solicitation " add weight to that antient and constitutional way of signifying their de- " fires on the like occasions. His majesty will always have the highest sa- " tisfaction in complying with the wishes of his faithful commons: but no

to listen graciously to the universal voice; and to the most fervent prayers of his loyal people; more especially, when they desire nothing new or doubtful; when they desire only that they may not be deprived of a reasonable frequency of election with respect to their own representation, of which no other part of his majesty's subjects, not in the meanest of his colonies, is deprived, when they desire not a parliament once every year or oftener, to which they are entitled by a constitution of six hundred years establishment, and by the express statute of Edward the Third never repealed, and of above four hundred years antiquity; but that no one parliament should continue above seven years, which is the longest period, to which it was found possible to extend the duration of parliament in a neighbouring kingdom; an extension grounded upon circumstances there, which never existed in this country; when therefore their application in this particular is, strictly speaking, not to limit but prolong parliaments; not to abridge but to increase prerogative, by giving the crown a power to continue the same parliament seven years, which it has not now by the laws and constitution; when they desire only, that an unconstitutional and illegal custom may not be perpetuated upon them, or continuing the same parliament for the life of the reigning king, which there have been but two instances of from the beginning of time in this kingdom, and which was tolerated in these two instances only from the most unlimited and overflowing loyalty and attachment to his majesty's royal house, which induced our ancestors to suffer their most sacred rights to be in this particular suspended, rather than expose the recent establishment of his majesty's auspicious family to the most imaginary hazard; when they hope, that this their conduct, which might well be rewarded with an increase, will not be punished by a deprivation of privileges; and that their just, humble, temperate, and legislative desires, their most reiterated and ardent supplications will not be neglected, whilst the less regular applications and even resistance of some of their fellow subjects in a case far different have been attended with satisfaction and redress.

“ consideration can prevail with his majesty to swerve from that indispensable duty, which the constitution prescribes to him of concurring in such provisions only, as on mature deliberation and advice of his council appear to him at the time calculated to promote the true interest and happiness of his people.” From the spirit, which dictated this answer, and the further conduct of the British cabinet at this time, it appears, as if they had selected this particular juncture for a trial of strength between the *English* and the *Irish* interest. A bill for better securing the liberties of the subject was this session passed in the commons, and transmitted, but was not returned. Another bill of a patriotic tendency was introduced this session, *to prevent the buying and selling of offices, which concern the administration of justice, or the collection of his majesty’s revenue* : but it miscarried in the commons. Thus failed every effort of the patriots to remedy the system of venality, which now openly prevailed, and to bring back the constitution to its primitive principles of freedom and independence.*

In

* As this was the time and this the system, to which Mr. Burke alluded in his incomparable political chef d’œuvre, on the *Cause of the present Discontents*, I will favour the reader with some of his thoughts peculiarly applicable to this juncture. P. 56. “The court party resolve the whole into faction. Having said something before upon this subject, I shall only observe here, that when they give this account of the prevalence of faction, they present no very favourable aspect of the confidence of the people in their own government. They may be assured, that however they amuse themselves with a variety of prospects for substituting something else in the place of that great and only foundation of government, the confidence of the people, every attempt will but make their condition worse. When men imagine, that their food is only a cover for poison, and when they neither love nor trust the hand that serves it, it is not the name of the roast beef of Old England, that will persuade them to sit down to the table, that is spread for them. When the people conceive, that laws, and tribunals, and even popular assemblies, are perverted from the ends of their institution, they find in those names of degenerated establishments only new motives to discontent. Those bodies, which when full of life and beauty, lay in their arms, and were their joy and comfort, when dead and putrid, become but the more loathsome from remembrance of former endearments. A sullen gloom, and furious disorder, prevail by fits; the nation loses its relish for peace and prosperity, as it did in that season of fullness, which opened our troubles in the time of Charles the First. A species of men, to whom a state of order would become a sentence of obscurity, are nourished into a dangerous magnitude by the heat of intestine disturbances; and it is no wonder that, by a sort of sinister piety, they cherish, in their turn, the disorders, which are the parents of all their consequence. Superficial observers consider such persons as the cause of the public uneasiness, when, in truth, they are nothing more than the effect of it. Good men look upon this distracted scene with sorrow and indignation. Their hands are tied behind them. They are despoiled of all the power, which might enable them to reconcile the strength of government with the rights of

In the year 1765 the revenue of Ireland, although considerably increased upon the whole receipt, still fell so far short of the expences of government, that 100,000*l.* were directed to be raised at 4 per cent. and the principal due upon the different loans was ordered to be consolidated into one sum, making in the whole 595,000*l.* at 5 per cent. which remained due at Lady Day. The debt of the nation then amounted to 508,874*l.* 5*s.* 9½*d.* There was this year a great scarcity of grain, as likewise a general failure of potatoes, which was still more severely felt by the lower ranks. The legislature found it necessary to interpose: they passed an act to stop the distilleries for a certain time, which consequently produced a decrease in the Excise, and also an act to prevent the exportation of corn; in both of which acts it is recited, that it was apprehended, there was not sufficient corn in the kingdom for the food of the inhabitants until the harvest. In the latter of these acts is contained a proviso, that it should be lawful *for his majesty, his heirs, and successors, by his or their order in the privy council of Great Britain, or for the chief governor or governors and privy council of Ireland for the time being, by their proclamation, to permit the exportation of any of the kinds of corn, grain, meal, or flour therein mentioned, any thing therein contained to the contrary notwithstanding.* The heads of the bill had been transmitted over without

of the people. They stand in a most distressing alternative. But in the election among evils they hope better things from temporary confusion, than from established servitude. In the mean time, the voice of law is not to be heard. Fierce licentiousness begets violent restraints. The military arm is the sole reliance; and then call your constitution what you please, it is the sword, that governs. The civil power, like every other, that calls in the aid of an ally stronger than itself, perishes by the assistance it receives. But the contrivers of this scheme of government will not trust solely to the military power, because they are cunning men. Their restless and crooked spirit drives them to rake in the dirt of every kind of expedient. Unable to rule the multitude, they endeavour to raise divisions amongst them. One mob is hired to destroy another; a procedure which at once encourages the boldness of the populace, and justly increases their discontent. Men become pensioners of state on account of their abilities in the array of riot, and the discipline of confusion. Government is put under the disgraceful necessity of protecting from the severity of the laws that very licentiousness, which the laws had been before violated to repress. Every thing partakes of the original disorder. Anarchy predominates without freedom, and servitude without submission or subordination. These are the consequences inevitable to our public peace, from the scheme of rendering the executory government at once odious and feeble; of freeing administration from the constitutional and salutary controul of parliament, and inventing for it a new controul, unknown to the constitution, an interior cabinet; which brings the whole body of government into confusion and contempt."

any dispensing power to the king in the British council: this was an alteration introduced by the British cabinet, and was violently, though ineffectually opposed by the few remaining patriots in the Irish House of Commons. The two grounds, upon which the now dwindled patriotic party in the Irish House of Commons resisted these alterations were undoubtedly constitutional: 1°. that even under the restrictions of Poyning's Law (which though perhaps prudent when passed, considering the then preponderancy of the Irish oligarchy had been latterly execrated by all Irish patriots), the king only had a power of assent or dissent: not a power of alteration, which from its nature must import a deliberative power, which could exist no where, but in the Lords and Commons of Ireland. 2°. That if it be expedient or necessary to lodge a dispensing power in the executive for the occasional benefit of the kingdom, such power to be executed by proclamation with the advice of the privy council in Great Britain, where the king personally resides, the proclamation issues directly from the king, with the advice of his privy council of Great Britain: but in Ireland, where the executive power is vested in such substitute or deputy as the king appoints, it issues in the name of such appointee, with the advice of the privy council of Ireland. The practice is evidently bottomed in reason: otherwise the council of Great Britain would have a controul over the legislative acts of the independent kingdom of Ireland. The patriots attributed the precipitancy,* with which the court party pressed this bill through the Houses, to the most unworthy motives of driving the people to the desperate alternative of famine, or the subversion of their constitution.

On the 22d day of December, 1765, Dr. Lucas, as one of the representatives of the city of Dublin, published an address to the lord mayor and aldermen, sheriffs, commons, citizens and freeholders of Dublin, on the passing of this bill, in which he gave the following succinct history of its progress. "On Thursday (viz. 19) this bill was first presented to the House and read. As soon as the fatal alteration was discovered, it filled one part of the House with horror and detestation of the measure, and a motion was made to reject it. But, it passed in the negative; and it was ordered, and accordingly, did

* Vid. 8 Com. Journ. p. 70. The Journals very unfairly have suppressed the nature of the alteration made in England. They merely state that a committee was appointed to examine the transmits with the heads of the bill sent from that House, and that it afterwards passed without amendment.

receive a second reading on Friday last. It was then ordered to be committed on Saturday, passed the committee, was reported the same day, and ordered to be ingrossed, though in every step of its progress, in which there were not one third of the members in the House, it met with constant, uniform, though fruitless opposition, with many divisions of the House and the committee, in all which, I gave my utmost opposition to the measure, but had the misfortune to be always of the minority. I could not suspect, a bill with any, specially with such an alteration, could be permitted to make so rapid progress, through any part of the legislature. Its fate now depends upon a single question in the House of Commons: when it will be put, or how determined, I cannot inform you; but the presumption is, it will be to-morrow."

In fact the question for the bill's passing with the inserted alteration was put on the next day, viz. Monday the 23d of December, 1765, and was carried by a majority of twenty-nine against fifteen.*

From

* 8 Com. Journ. p. 71. One of the most strenuous supporters of this bill with the alterations, was the late Lord Clare, then Mr. J. Fitzgibbon, member for Newcastle; to whom the following passage in Mr. Lucas's address referred: " Since I have mentioned precedents, you may see by
 " the votes, that lawyers have not let a worm-eaten parliament roll, nor an obsolete musty statute,
 " escape the most diligent research. If one happier than the rest should think he found a case in
 " point, in times, indeed, the most fit for the black purpose, under the auspices of the direct foe to
 " the liberties of Europe and of Britain, the Spanish tyrant Philip, the worthy consort of bloody
 " Queen Mary, that horrid firebrand to the religion and the laws of her country; for it is in such a
 " tyrannic reign alone, that any one could hope a precedent for the purpose of this innovation
 " might be found; what use could be made of such a precedent in our happy days? It is indeed
 " true, that an act passed in this kingdom, in the third and fourth years of that abominable reign,
 " for reducing certain waste lands to shire grounds; giving however, a power to the crown, for
 " seven years, to suspend or repeal the whole act or any part thereof. Thus far the act proves a
 " case in point: but upon reading the whole section through, it appears that the ends, for which
 " alone it could be cited and read, were utterly frustrated: because, however evil and unjust the
 " power granted in that statute may appear, it was not, as some favorers of this innovation may
 " contend, to make it serve as a precedent; it was not left to a private order, conceived in the
 " council of Great Britain, but it was expressly provided, " that every suspension, repeal or revo-
 " cation of the statute should be made in writing under the great seal of Ireland, and public pro-
 " clamation thereof made." If those who raked through much obscurity, and rubbish, and filth,
 " thus serve their country, had found a better precedent, no doubt their commendable zeal would
 " have produced it. But you see how little this question can answer the purposes of such favorers
 " of innovation as may produce it. In the innovation in these heads of a bill, an order conceived
 " in

From the frequent defections of the patriots and the consequent reduction of their numbers, it became the policy of the castle, at this time, to throw all possible disrepute upon the few, who still earnestly espoused that cause. Upon this subject Dr. Lucas explained himself very pointedly in another address to his constituents:* but it would be uncandid to leave the reader in the vulgar prepossession, that because this eminent and true patriot stood firm to the last hour of his life in the honourable cause of his suffering country, therefore he was unacceptable either to his sovereign or his viceroy. The Earl of Hertford had particularly noticed Dr. Lucas when he was in England, and was esteemed by him in return: he boasted also of his kind treatment from the Lords Chesterfield and Harrington, Halifax and Northumberland. He bore affection as well as loyalty to his majesty.† The unremitted

“ in the council in England, which from its known appellation must be secret, is to repeal a statute
 “ passed in the parliament of Ireland, without any proclamation or publication in Ireland, or per-
 “ haps without its being at all known in the kingdom, till it comes to be executed in the ports.
 “ Yet this is attempted to be introduced, after the enlivening spirit of the revolution, and the con-
 “ sequent Hanover succession, broke the illicit bonds of the never-enough-to-be-detested race of
 “ Stuarts, and bad us live and be free.”

* Patriot and patriotism, are now no longer considered as real, but ideal characters. That they were once otherwise, our author thus confesses. I hope, he is taught by his own heart to believe, that there are yet some men in the world, who are ready and willing to sacrifice, upon a proper occasion, their time, their fortunes, their healths, their lives, to the service of their country.

That designing men have often layed hold of trifling, as well as weighty occasions, to set forth their own importance, to gain their private ends; and that great and important subjects taken up apparently, with just and public-spirited views, have been given up and forsaken, when the ministry have thrown out the proper lure, are notorious, as they are hateful.

That the royal consent was once anticonstitutionally, yet without opposition, inserted in an act of parliament, and that at another time, the proposition was constitutionally spurned at, and rejected in the same parliament, is certainly true. That many patriots arose upon this great occasion, while the funds were redundant in the treasury, is true. But that these were short lived pageants is true. That some lost their places, some their pensions, for a while is certain; but that the chapping and changing, placing and pensioning, and replacing and repensioning these patriots, cost the nation about half a million, is certain: As it is, that while they justly contended for the right of parliament to the disposal of the redundancy of the funds in the treasury, they afterwards peaceably suffered it to be drawn out of the treasury by the sole mandate of the crown. And thus, it must be confessed, that ours, like other patriots, have been the pageants of a day, each acting their parts like the poor player, who frets and struts his hour upon the stage, and then is heard no more.

† You know I am no flatterer: you know how often and in what terms I have testified my disinterested love and loyalty to his majesty, and my zealous and inviolable attachment to his royal house.
 That

unremitted and faithful attention to his parliamentary duties, with the discouraging prospect of failing in every exertion, forced from him a confession, that

That I have always looked upon him, as not only politically, but actually free from blemish or imperfection; that I know his heart overflows with pure love and benevolence to all his subjects, and that I have myself sensibly shared of his royal clemency, in rescuing me from the oppressive hands of that detestable hoary tyrant, a long parliament, with a wicked ministry, and certain iniquitous rulers of this city. His royal touch healed the wounds and bruises given my country, through my fides. You know my words, my writings, the tenor of my whole life and conduct, proclaim my invariable gratitude, affection, and duty. And when I forget the deliverer of my country, let my right hand forget its function, and my tongue cleave to the roof of my mouth. In his royal goodness, I repose the most boundless confidence.

But why is his sacred name and character to be hauled into this controversy? Is it to be imagined, that he can look into matters of this nature; Are they not all left to his council? Does not the council refer them to one or two servants of the crown, who after, report or reject them at pleasure? I honestly and openly confess, I have not the fullest confidence in all those, that are put in authority under him, in either kingdom.

My lord, my character is known to all, and thank God! approved by all that dare be honest and free. I challenge my direct foe to charge a single instance of flattery upon me, to kings, or even to more mighty ministers. You know my invaried love and loyalty to my king, and you know my declared motives. Had I not had these, I should have scorned to prostitute the offered incense.

A just proportion of the regard due to the sovereign, I have ever been ready to pay to his representative; unless the conduct of the substitute provoked me to say, with the insulted free apostle, God shall smite thee, thou whited wall; for I should not be provoked more than the holy man, had I not the same apology, might I not say, as he did, when rebuked, brethren, I wist not that he was God's high priest; because he stripped and degraded himself of the power and dignity of his office, by commanding a free citizen to be smitten, in open court, contrary to law, justice, and decency. What good and worthy viceroy of the crown, wanted my poor applause? What bad and unworthy lieutenant escaped my poor censure? You see then, I have ever loved, respected, and revered those great officers of the crown, or hated, despised, and condemned them, according to their well proved merit or demerit. My conduct in private and public life, always did, and always shall, prove these truths. Witness the different treatments, by me given to the Lords Chesterfield and Harrington, Halifax and Northumberland. In all which, you know, I acted upon invariable principles. My conduct in these instances will convince you, that I always shall act as a person, who for himself has nothing to ask, and nothing to fear, which must always keep me a free agent. To stand quite clear of all suspicion of adulation, I should have declined expressing my sentiments of the present lord lieutenant, till the expiration of his office. But, as I am called upon, I must explain myself, in mine own justification. I could not have lived as long as I did in London, without being well acquainted with the character of our present viceroy. I confess, I honored and admired it, before I had the honor of being known to him, and when I petitioned his present majesty, against his wicked ministers and judges in Ireland, I had the good fortune to find myself, from the justice
of

that he was weary of his task, because he laboured incessantly in vain.* Lord Hertford not having supported as zealously as the British cabinet expected, their alterations in the corn bill, was recalled. The old lords justices filled their stations for the last time until the appointment of Lord Townsend to be lord lieutenant on the 14th of October, 1767.

of my cause, patronised by this great good man, who then knew no more of me, than my character, and who did me the honor to present me, and saw me make my complaint to the royal ear. To him, I confess myself indebted for that share of the royal clemency, with which I now stand distinguished. If my return to my native country, be grateful to my countrymen and fellow citizens, the obligation is due to the Lord Hertford, who, in spite of great and mighty powers, made my case known to our patriot king, who embraces every opportunity of testifying his parental love for his faithful subjects. His excellency has since deigned to confer marks of his favor on some of my family. So that your lordship and honours see, that I stand under singular obligations for my country, my family, and myself, to the lord lieutenant. It may possibly be suspected, that from principles of gratitude for private favors, I may have been blinded to, or prejudiced in favor of the great man's public conduct. I hope my character is too well known to fall under this imputation. I have never yet been able to pay my devoirs in person to his excellency; consequently I could never have said what the author pleased to say of me, that I acquit him of closetings, squeezings, and such like customary arts. Let placemen and pensioners, a band in which I shall never enlist, testify this. I hope every man can; I hope they are arts, which no lord lieutenant will ever dare to practise on this virtuous parliament, and I verily believe, the present ruler detests such practices as much as I do. In public and in private, I have thought myself bound to justify this great character. Without having had any intercourse with him or his ministers, I saw many proofs of his public spirit agreeable to the hopes I had conceived from his general character, and his being more interested than any of his predecessors, in the freedom and happiness of this kingdom.

These, I confess, gave me confidence in his excellency, and I gladly layed hold on two instances, that proved in my judgment, his conduct, when an unasked for, not to say unnecessary, vote or act of credit was offered, and when the alteration in the corn bill came over. Here I confess myself, in the only instances of my life, under some degree of what you may call court influence, for, this was such a conduct as raised him still higher in my esteem, and I did him the justice to declare my sentiments, as I also should, and shall do, if his future conduct should possibly, as I hope it shall not, induce me to change my sentiments.

* I have, said he, quitted a comfortable settlement in a free country to embark in your service. I have attended constantly, closely, strictly to my duty. I have broke my health, impaired my fortune, hurt my family, and lost an object dearer to me than life, by engaging with unwearied care and painful assiduity, in this painful, perilous, thankless service. All this might be tolerable, if I could find myself useful to you or my country. But the only benefit, that I can see, results to those, whom I cannot look upon as friends to their country, bands of placemen and pensioners, whose merit is enhanced and whose number has been generally increased, in proportion to the opposition given to the measures of ministers. I dare not neglect, much less desert my station, but I wish by any lawful or honorable means for my dismissal.

This

This nobleman was selected to introduce a very important change in the system of governing Ireland. The choice was in many points judicious. In order to attempt the arduous task of supplanting the deep-rooted influence of the Irish oligarchy, it was requisite, that the lord lieutenant, to whom that power was to be transferred, should be endowed with those qualities, that were most likely to ingratiate him with the Irish nation. The new lord lieutenant excelled all his predecessors in that convivial ease, pleasantry, and humour, so highly prized by the Irish of every description. The majority, which had been so dearly bought in the Commons, by those who had heretofore had the management of the *English interest*, was now found not altogether so tractable, as it had heretofore been. There were three or four grandees, as Dr. Campbell observed, who had such an influence in the House of Commons, that their coalition would, at any time, give them a clear majority upon any question. To gain these had been the chief anxiety of former governors: they were sure to bring over a proportionate number of dependants, and it had been the unguarded maxim to permit subordinate graces and favours to flow from or through the hands of these leaders, whom experience now shewed to be as irritable and versatile as the most insignificant of their followers.* Formerly these principals used to stipulate with each new lord lieutenant, whose office was biennial and residence but for six months, upon what terms, they would carry the king's business through the House: so that they might not improperly be called *undertakers*. They provided, that the disposal of all court favours, whether places, pensions, or preferments, should pass through their hands, in order to keep their suite in an absolute state of dependance upon themselves. All applications were made by the leader, who claimed as a right the privilege of gratifying his friends in proportion to their numbers. Whenever such demands were not complied with, then were the measures of government sure to be crossed and obstructed: and the session of parliament became a constant struggle for power between the heads of parties, who used to force themselves into the office of lord justice according to the prevalence of their interest. This evil had been seen and lamented by Lord Chesterfield: and his resolution and preparatory steps for undermining it probably contributed not a little to his immediate recall upon

* Phil. Surv. p. 57.

the cessation of the danger, which his wisdom was thought alone competent to avert.

This was the system, which Lord Clare said, *the government of England at length opened their eyes to the defects and dangers of: they shook the power of the aristocracy, but were unable to break it down.* The monopoly of civil power long survived the administration of Lord Townshend: no small share of it rested with that noble earl, who thus faithfully describing it, practically knew the inability of the English government to break it down. The primary object of Lord Townshend's administration was to break up the monopolizing system of this oligarchy. He in part succeeded, but by means ruinous to the country. The subalterns were not to be detached from their chiefs, but by similar though more powerful means, than those, by which they had enlisted under their banners. The streams of favor became not only multiplied, but enlarged, consequently the source of remuneration the sooner exhausted. Every individual now looked up directly to the fountain head, and claimed and received more copious draughts. Thus, under colour of destroying an overgrown aristocratic power, all parliamentary independence was completely secured by government. The innovation naturally provoked the deserted few to resentment: but they were bereft of their consequence when left to their individual exertions.* They took refuge under the shelter of patriotism, and they inveighed with less effect against the venality of the system, merely because it had taken a new direction, and was somewhat enlarged. The bulk of the nation, and some though very few of their representatives in parliament, were earnest, firm, and implacable against it.

The arduous task, which Lord Townshend had assumed was not to be effected by a coup de main: forces so engaged, so marshalled, and so commanding rather than commanded, as he found the Irish parliament, were not to be dislodged by a sudden charge: regular, gradual, and cautious approaches were to be made: it was requisite, that the chief governor should first be popular, and then powerful, before he could be efficient and success-

* Under various pretences these gentlemen endeavoured to spirit up the people to adopt their resentments, and they affected to take refuge in the arms of patriotism. The contest produced a series of political letters, replete with wit and humour, inferior perhaps to nothing of the kind, except the letters of Junius. They have been since published in an octavo volume, under the title of *Baratariana*. *Phil. Surv.* p. 59.

ful. His lordship therefore to those convivial fascinations, to which the Irish are supereminently sensible, superadded as many personal favors, as the fiscal stores could even promise to answer, which in a people of quick and warm sensibility creates a something very like momentary gratitude; and in order the more completely to seat himself in that effective power, which was requisite for his purpose, he judiciously fixed upon a favorite object of the wishes and attempts of the patriots to sanction with his countenance and support.

The patriots had long and loudly complained, that although in early times the parliament of Ireland continued but for the year or session, and then the popular representatives having discharged the duties required of them for that period, resigned their delegated authority and powers into the hands of those, from whom they had received them, to be again at their free option and disposal: yet in latter times their parliaments were prolonged from the beginning of each reign to the demise of the sovereign, unless he chose by an extraordinary exertion of prerogative to put an earlier period to their existence by dissolution. This they considered as a flagrant violation of the rights of the people: as from them, the representatives derived their political character, its continuance ought to be commensurate with the will of the people, not that of the crown: from the moment their power exceeded their delegation, it was usurpation: the nation might in that case number several self-created law-givers, not one representative. A national evil, which called loudly for redress. Under this baneful system, from the moment of their election, the commons became almost wholly independent of the people; and under the refined improvements of Sir Robert Walpole, in the management of parliamentary interest, the seduction became too powerful for most men, when they were at liberty to treat for life. The patriots anticipated the cure of venality in the frequency of their parliaments, the people hailed the welcome return of their power and controul over their representatives, and government sensibly felt, that they could not longer withhold from Ireland what England had so long and so reasonably enjoyed.* Dr. Lucas had several times failed in his endeavours to procure a bill for limiting the duration of parliament. Now however a septennial bill was transmitted, and was returned with an alteration in point of time, having been changed into an octennial one. There appears to have been some unfair manœuvring

* Our parliaments have continuance for seven years, by 1 Geo. 1. c. 38.

in the British cabinet, in order by a side wind to deprive the Irish of that, which they dared not openly refuse them. At the same time a transmiss was made of another popular bill for the independance of the judges, in which they had also inserted some alteration. It was expected, that the violent tenaciousness of the Irish commons for the privilege of not having their heads of bills altered on this side of the water, would have induced them to reject any bill, into which such an alteration had been introduced. In this the English cabinet was deceived: the Irish commons waved the objection as to the limitation bill, in order to make sure at last of what they had so long tried in vain to procure, and considered that they surrendered no part of their privilege by objecting on this very account to the judges bill, which was transmitted at the same time with alterations: for although this latter bill had been particularly recommended in the speech of the lord lieutenant, it was on account of an alteration inserted in it in England, upon the report of the committee appointed to compare the bill with the heads of the bill, unanimously rejected.*

No sooner was the octennial bill returned, than the commons voted a respectful and grateful address to the throne, beseeching his majesty to accept their unfeigned and grateful acknowledgments for the condescension, so signally manifested to his subjects of that kingdom, in returning the bill for limiting the duration of parliaments, which they considered not only as a gracious mark of paternal benevolence, but as a wise result of royal deliberation. And when the royal assent had been given, the action was so grateful to the people, that they took the horses from his coach, and drew him from the parliament house to the castle with the most enthusiastic raptures of applause and exultation.† But his lordship's‡ popularity did not last

* Vid. 8 Journ. Com. p. 270. The committee appointed to compare the bill with the heads of a bill for making the commissions of judges to continue *quamdiu se bene gesserunt* have accordingly compared the same, and found that the following alteration hath been made therein. In the last sheet, at the end of the last clause, after the word *Parliament*, the following words are added, "Certified by the lord lieutenant and council there under the great seal of Ireland, in like manner as bills are usually certified, or upon the address of both houses of the parliament of Great Britain." Resolved, That the bill be rejected.

† Dr. Campbell, who made his philosophical tour through the south of Ireland, during the administration of Lord Harcourt, Lord Townshend's immediate successor, said, (p. 58) "That notwithstanding that deed were so pleasing to the people, yet they then began to think, that that favorite law was of no other use, but to increase the value of boroughs; a single seat in one of which then sold for 2000*l.* at least.

‡ Ibid.

long. By diverting the channel of favor, or rather by dividing it into a multitude of little streams, the gentlemen of the House of Commons were taught to look up to him, not only as the source, but as the dispenser of every gratification. Not even a commission in the revenue, worth above 40*l.* a year, could be disposed of, without his approbation. Thus were the old undertakers given to understand, that there was another way of doing business than through them. It was not, however, without much violence on both sides, that he at length effected his purpose. The immediate sufferers did not fail to call this alteration in the system of governing, an innovation, which they artfully taught the people to resent as a national grievance.

It is not a very extravagant system, that all men are born with equal powers of mind, and that special circumstances and occasions draw forth this general mental aptitude into the various degrees of energy and excellence, which we witness in the indefinite variety of times, climates, religions, governments, changes, and affections of different portions of the human race. Whenever a great change takes effect upon the public mind of a nation, it is a primary duty of the historian to trace and faithfully to retail the causes, which have brought it about. We have before remarked, that a spirit of patriotism had begun soon after the Revolution to manifest itself in Ireland: and the first public effort of resisting English oppression upon the true principles of the Revolution itself, was the publication of Mr. Molyneux's *Case of Ireland being bound by Acts of Parliament in England stated*.

The English House of Commons, finding the arguments unanswerable, ordered the books to be burned by the hands of the common hangman; a circumstance very remarkable, as they were the very commons of the Revolution parliament; and could not deny the truth of its principles, without shaking the basis of their own liberty, which must have upset the whole superstructure of that government they had just raised. This conduct in the Commons of England raised jealousy and suspicions in the Commons of Ireland. They saw that the very principles of liberty, which Englishmen admired and revered in Locke as the foundations of the freedom of England, were reprobated in Molyneux, and condemned as seditious, when brought to bear upon Ireland. In that moment they most sensibly felt the galling situation of an arbitrary subordination. This execution instead of degrading, increased the character of the book. It had suffered political martyrdom; and,

and, as in all other cases of martyrs, its disciples increased by persecution. The people of Ireland sought after and read Molyneux with avidity. The book has ever since been in the widest circulation, and its doctrines have been deeply engraven on the hearts of all true Irishmen. The politics of Molyneux are not less revered by the Irish, than the morality of Confucius by the Chinese. The writings of Dean Swift went still further in opening the minds of the Irish, and preparing them to nurture the seeds of freedom, and to vindicate those rights, which Heaven has bestowed upon the human race. He wrote to be understood by the common people, and made use of the cheapest mediums for distributing advice. The Draper's letters were cried about the streets of Dublin, and sold for a penny each. Every man who could read, read the Draper's letters. They were dispersed through the kingdom, pasted up in alehouses and cottages all over the country, and their influence was very suddenly perceived. Swift was the first person, who pointed out to the Irish the necessity of associating against wearing foreign manufactures: and to that *non-importation* association must be attributed the successful advances, which the nation was then making towards civil liberty. A prosecution was instituted against the printer of Swift's Essays, which terminated in the imprisonment of the printer (Alderman Faulkener), who peremptorily refused to give up the writer. This prosecution, like the burning of Molyneux's book, increased the popularity of the Essays and the author. It stimulated the satyric genius of the Dean, who literally wrote some of his enemies out of the world. It brought the doctrine of libels into discussion in the courts of Ireland; and the arguments of the counsel for the defendants convinced the people that the liberty of speaking, thinking, and writing, was one of the great principles of the constitution.

The universal estimation, in which Mr. Molyneux's book, as well as the Draper's letters have been since holden by all that is respectable throughout the British empire, most irrefragably condemns the impolicy and injustice of the conduct of the British cabinet towards Ireland in both these instances. So proper, so beneficial to the country, so constitutional in their tendency did Lord Chesterfield consider the Draper's letters, that in order to reconcile the minds of the public to a desirable measure during his administration, he himself framed a letter in the exact stile of Swift, then in his melancholy state of dotage, and had it published under the signature of *the Draper*, and circulated in the same way, in which those letters formerly had been. No nation

tion on earth naturally takes a more lively and active interest in the political events of the day than the Irish: none holds the efforts of wit, humour, and talent in higher estimation: none more justly appreciates the benefits and advantages of civil liberty. Upon principles arising out of these facts very soon after the accession of his majesty had the *Freeman's Journal* been set up in Dublin.

This paper was soon followed by another public print, called the *Hibernian Journal*. The gentlemen of the university of Dublin supplied these papers with ample matter for entertainment and information. Dr. Lucas was the director of the *Freeman's Journal*; and from the elegance of composition and strength of political argument, which marked several of the essays, it was known that they had also support from Mr. Flood, Mr. Burgh, Mr. Yelverton, Mr. Grattan, and other gentlemen, then generally esteemed. In the administration of Lord Viscount Townshend, another public paper appeared, called the *Dublin Mercury*,* avowedly patronized by government. It was the business of this paper to turn every serious argument of the adversary into ridicule. Men of extensive learning and attic genius sported their wit in print; among whom were Mr. Courteney, Captain Jephson, and Dean Marlay. The press transplanted those shoots of liberty to all parts of the country. Newspapers appeared in every town, and tended to sow the seeds of that ardor for civil freedom, that ended in the establishment of Irish independence in the year 1782.

Very early in the session, the attention of parliament was drawn to the consideration of the army upon the Irish establishment. This was a subject, upon which the nation was most justly sore: and it is the more material to touch upon it, as out of the misconduct of the British cabinet with reference to the military establishment of Ireland, arose that important and wonderful revolution in the political system of Ireland, which will hereafter be noticed in its appropriate time and order. The following message was sent to the House of Commons from his excellency by the hands of the Right Hon. Sir George Macartney, who delivered it to the speaker, and he read it to the House.

* In these different papers appeared the several letters and essays, that we have before remarked made up the collection of *Baratariana*.

(TOWNSHEND.)

(TOWNSHEND.)

“ GENTLEMEN,

“ I am commanded by his majesty to inform you, that his majesty, upon the most mature consideration of the state and circumstances of his kingdom of Ireland, judges that a number of troops not less than twelve thousand men, commission and non-commission officers included, should be constantly kept therein, for the better defence of the same; and that his majesty finding, that, consistently with the general public service, the number before mentioned cannot always be continued in Ireland, unless his army upon the Irish establishment be augmented to 15,235 men in the whole, commission and non-commission officers included, his majesty is of opinion, that such augmentation should be immediately made, and earnestly recommends it to his faithful Commons to concur in providing for a measure, which his majesty has extremely at heart, as necessary not only for the honor of his crown, but for the peace and security of his kingdom; and I have his majesty's special commands to assure you expressly, in his name, that it is his determined resolution, that upon such augmentation, a number of effective troops, not less than 12000 men, commission and non-commission officers included, shall at all times, except in the cases of invasion or rebellion in Great Britain, be kept within this kingdom, for the better defence thereof. I have ordered a plan and estimate of the immediate charge, and of the annual expence, which will be incurred by this measure, to be laid before you; and if, by the strictest œconomy and the non-effective funds, any savings can be made, you may be assured, that, of the sums which shall be granted no greater part shall be used than shall be indispensably necessary for this service. And I have it further in command from his majesty to acquaint you, that his majesty has been pleased to determine, that as the several general officers who now compose the staff upon the military establishment of this kingdom, shall happen to die, or be provided for, the number shall be reduced, and consist of no more than a commander in chief, and five general officers.” It was ordered to be entered on the journals, and at the same time a committee was appointed to enquire into the state of the military establishment, and also into the application of the money granted for its support from 25th March, 1751. The result of this enquiry shewed manifest misconduct, as appears from the report at large, and the returns thereunto annexed: part of the report is to the following effect:

“ Your

"Your committee beg leave to take notice, that the entire reduction of the army, after the conclusion of the peace, did not take place till the latter end of the year 1764; and that it appears from the return of the quarter-master-general, that there were great deficiencies in the several regiments then upon the establishment, at the several quarterly musters comprized in the said paper, which precede the month of January, 1765; the full pay of such vacancies must amount to a very large sum, and ought, as your committee apprehends, to have been returned as a saving to the public, especially as it appeared to your committee, that orders were issued by government, not to recruit the regiments intended to be reduced." Upon the whole, it was resolved that an address should be presented to his majesty, to lay before him the report of the said committee, to acknowledge his constant attention to the welfare of the people, to express the utmost confidence in his majesty's wisdom, that if upon such representation any reformation in the said establishment should appear necessary to his majesty, such alteration would be made therein as would better provide for the security of the kingdom, and at the same time reduce the expence of the establishment, in such a manner as might be more suitable to the circumstance of the nation. Whatever be or have been the unsound policy to suppress or misrepresent the actual state of facts, when we look to Ireland with impartiality, from what has been stated, we have melancholy but indispensable proof of the impoverished state of the kingdom at this juncture. She was oppressed by a rapidly increasing debt, burthensome taxes, unnecessary expences, places and pensions, and evident misapplication of the public money; and under these circumstances the representatives of the people made some ineffectual efforts for the relief of their country; but the majority was secured, and vainly did the efforts of patriotism encounter the exertions of the new system, to keep individuals steady to their post on the treasury bench.

The unusual interval of 16 months between the dissolution of the old and the meeting of the new parliament was carefully employed by the lord lieutenant in forming the particular arrangements with the new members for carrying on the work of government upon the new system of the immediate influence of the chief governor: and considering the length of possession, the nature of the power, the struggle of the former holders to retain it, and their personal weight and influence upon their dependents, his efforts were uncom-

monly successful for a first essay.* On the 17th of October, 1769, the lord lieutenant met the new parliament. Mr. John Ponsonby was unanimously elected speaker of the House of Commons. The lord lieutenant's speech pointed only at three things, namely, the encouragement of the charter school, the linen manufacture, and the prevention of running contraband goods, by which the revenue was much injured. His lordship however did the nation the justice so to mention the late popular act for limiting the duration of parliaments, as to justify the exertions of the patriots, who had so eagerly urged, and condemned the opposition of the court party, who had so obstinately resisted the passing of that bill. "It is," said his lordship, "with particular satisfaction that I meet the first parliament limited in duration, that ever assembled in this kingdom. I am confident, that you are come together with the justest sentiments of duty and affection to our excellent sovereign, who has gratified the earnest wishes of his faithful subjects of Ireland with that great improvement of their constitution."

This first session of the first octennial parliament of Ireland, under all the peculiarity of its circumstances, stands unprecedented in the Irish annals. Lord Townshend, whose special mission was to renovate the court system of government in that kingdom, after having ceded to the Irish party, with ungracious reluctance, the octennial bill, and laboured with unabated industry and contrivance through the long interval of 16 months to create a new junto in support of the *English interest*, independent of their former leaders, had not so matured his plan as to have ensured the whole game. He had not altered the nature, but only raised the price of accommodation: and lavish as the Irish have generally been of their voices in parliament to the highest bidder, there ever appear to have been some cases reserved out of the bargain. Such had been the reservation of right to vote for limited parlia-

* Painful and discouraging as it is to contemplate the frequency and facility, with which the Irish (like too many other) patriots were drawn over, yet if their patriotism, whilst it lasted, whether affected or sincere, were founded in reason and truth, we must honor, revere, and commend the virtue, although we lament the profligate recreancy of those, who abuse and desert its cause. The number of the wicked but enhances the merit of the good. It is an humiliating conclusion, which has been often, perhaps not without reason, drawn by real well wishers to their country, in support of the union, that Ireland is better without any parliament at all, than to be cursed with a corrupt and venal one.

ments,

ments, in some of the most obsequious devotees to the measures of the castle: and such now was a similar exception in some of his pensioned supporters to resist the right of the English council to make money bills originate with them, and not with the commons of Ireland. On this point the British cabinet and the Irish house of commons came fairly to issue.* The judges bill and

* It had long been the avowed and boasted maxim of all Irish patriots to decry Poyning's Law as a most unconstitutional national grievance. The union having now rendered its observance impossible, it behoves us, notwithstanding, to consider the effect, which its execution and resistance have heretofore respectively produced upon the Irish nation. It was an act passed in the 10th Hen. VII. c. 4. This statute is called Poyning's Law, from Sir Edward Poyning, the viceroy, who is generally considered to have obtained it by a manœuvre. The major part of the lords and commons were drawn from their attendance in parliament by stratagem, and in their absence this law was passed; a law to which the poverty, calamity, and discontent of Ireland, have generally been attributed by the patriots. It enacts as follows, that "no parliament be holden hereafter in the said land, but at such season as the king's lieutenant and counsaile there first do certifie the king, under the great seal of that land, the causes and considerations, and all such acts as them seemeth should pass in the same parliament, and such causes, considerations, and acts affirmed by the king and his counsaile to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said parliament under his great seal of England had and obtained; that done, a parliament to be had and holden after the form and effect afore rehearsed; and if any parliament be holden in that land hereafter, contrary to the form and provision aforesaid, it be deemed void and of none effect in law."

As this statute precluded any law from being proposed, but such as were preconceived before the parliament was in being, which occasioned many inconveniencies, and made frequent dissolutions necessary, it was provided by statute the 3d and 4th of Philip and Mary, chap. 4. that any new propositions might be certified to England in the usual forms even after the summons and during the sessions of parliament. To remedy in some measure the inconvenience arising from these laws, the Irish lords and commons had adopted a mode of originating laws in their own houses. A lord or commoner applied to the house, of which he was a member, for leave to bring in heads of a bill, which leave being granted by the majority of the house, the heads of the bill were proposed, received after regular discussion, alteration, and amendment, and having passed through all the forms of parliamentary order, paragraph by paragraph, and being perfected to the satisfaction of the house, where they originated, they were sent to the Irish privy council, in order to be transmitted to the king of England. If these heads of bills were transmitted to England by the Irish privy council (which was not always the case), and were assented to by the king, they were then re-transmitted to Ireland, and if not negatived by one of the houses of parliament, they received a formal royal assent from the viceroy. This statutable authority of the Irish privy council was often complained of by the people of Ireland as an unwholesome medium between the king and his Irish subjects, and under its baneful influence, laws of the most salutary nature often perished. When heads of bills prepared by the Irish lords and commons, militated against the sentiments of the

and the octennial bill had both been qualified on this side of the water to bring on the trial; and now another formal attack having been made upon the legislative powers of Ireland for the same purpose by the origination of a money bill in the privy council, the commons resolved fairly to meet the question: accordingly it was moved in the House of Commons, that a bill, intituled, "*An Act for granting to his Majesty the several Duties, Rates, Impositions, and Taxes, therein particularly expressed, to be applied to the Payment of the Interest of the Sums therein provided for, and towards the Discharge of the said principal Sums,*" should be then read a second time on the day following. This motion was negatived; and it was resolved, that such bill was rejected, because it did not take its rise in that house.

The lord lieutenant, though he thought proper to allow the Irish parliament to grant their own money in their own way, protested against the right claimed by the House of Commons, and endeavoured, but in vain, to enter his protest upon their Journals. The house would not submit to this encroachment upon their privileges: the lords were less inflexible, and after

council, or the wishes of the viceroy, such bills were arrested in their course to the throne, and in the technical language of the council, they were "put under the cushion," from whence they never reached the ear of majesty. By Poyning's law, all bills must originate in the Irish privy council, and receive the assent of the king and council in England, previous to their being presented to the legislative bodies of the Irish parliament; in consequence of which process, all bills that came certified from the Irish council to the king in England, were immediately on their arrival delivered to the attorney general of England, to be perused, and settled by himself or the solicitor general, but which in fact was generally done by some chamber council, who had leisure to attend to it. The inconvenience of this was illustrated by a bill returned to Ireland altered in 74 places, which had been successively revised by Lord Thurlow, when attorney general, Lord Roselyne, when solicitor general, and the late Mr. Macnamara, a chamber council. The bill so metamorphosed was rejected by the commons of Ireland. These various corrections by an English, Scotch, and Irish lawyer, were of serious consequence to government. The temporary duties of Ireland expired in a few days after the rejection of the bill. Several weeks elapsed before a money bill could be perfected, sent over to England, returned, and approved by the Irish commons and lords—and in the interim the merchants imported duty free. The commissioners of the revenue, though no law existed, by which they could levy the duties, seized the goods, and lodged them in the king's stores. The merchants replevied, the commissioners opposed the sheriffs of Dublin, raised the *posse comitatus*, broke open the stores, and the goods were conveyed to the merchants houses in triumph. Certain it is, that the British constitution knows not any law, that gives power to any person or set of persons, distinct from the great council of the nation, to frame, propose, originate, or suppress bills intended to be statutes; which must be injurious to the legislative power of the state, and subversive of the constitution thereof.

much

much opposition and debate, his excellency's protest was solemnly recorded on the Journals of the House of Peers. But before that was done, it having been generally suspected, that such was his intention, the following motion was made in the House of Peers, "That the speaker of this house be desired
 " that no protest of any person whomsoever, who is not a lord of parliament,
 " and a member of this house, and which doth not respect a matter, which
 " had been previously in question before this house, and wherein the lord protesting had taken part with the minority, either in person or by proxy, be
 " entered on the Journals of the house." After a warm debate upon this motion, the question was negatived upon a division of 30 against 5.*

Although only two bills passed in this singular and short session of parliament, it did not go over without incident: besides what we have already remarked, the patriot party, not having been satisfied, that the papers delivered in from the treasury, were sufficient to bring the whole appropriation of the public money since the last parliament under their examination, moved for an address to the lord lieutenant, apprizing him of what papers had been actually delivered in, and requesting, that his excellency would be pleased to inform the house, if those were the only estimates and accounts intended by his excellency's most gracious speech: and a motion was made and the question put, that an amendment be made to the said address, by inserting the following words, †"being the only papers usually laid before this house
 " at the beginning of a session, in consequence of the chief governor's speech
 " and in pursuance of the address of this house." Upon which a division took place of forty-seven for, and sixty-five against the motion. This was the first trial of the strength of the lord lieutenant's newly marshalled phalanx. It was not upon any of the excepted questions, and he was far from being satisfied with his victory.

The 21st of November, 1769, was the day appointed for the grand experiment of the new artillery, which his excellency found only to be defective, from the scantiness of the priming: accordingly after this failure he deferred any further experiment, till he had more fully ascertained the calibre of each piece of ordnance, and he took care to have it charged accordingly.

* Vid. App. No. LX. the protest of the five dissentient lords, and also the protest of the lord lieutenant, and the whole proceeding thereupon from the Lords' Journals.

† 8 Journ. Com. p. 295.

*“ A motion being made, and the question put, that a bill entitled, an act
 “ for granting to his majesty the several duties, rates, impositions, and taxes
 “ therein particularly expressed, to be applied to the payment of the interest
 “ of the sums therein provided for and towards the discharge of the said
 “ principal sums, in such manner as is therein directed, be now read the
 “ first time,” it was carried in the affirmative: and the bill being accord-
 ingly read; a motion was made and the question put, that the bill be read
 a second time to morrow morning: the house divided: ayes sixty-eight,
 noes eighty-seven. Then the motion, that the bill be rejected was put and
 carried by ninety-four against seventy-one: and it was resolved *that the said
 bill was rejected because it did not take its rise in that house.* The lord lieu-
 tenant took this defeat in the commons so much to heart, that he resolved
 to bring no more government questions before them during that session: or
 until he could, as the castle phrase then was, make more sure of the king’s
 business. The representations, which were made of this transaction in Eng-
 land, soon found their way into the newspapers, and the light in which Mr.
 Woodfall placed the majority of the Irish House of Commons on that im-
 portant division in the Public Advertiser, fully proved the general sentiments
 entertained at that time in England upon the whole system of the Irish go-
 vernment. †On the 18th day of December, 1769, a motion was made and
 carried without opposition, that a paper entitled the Public Advertiser, by
 H. S. Woodfall, London, December the 9th, 1769, might be read. It con-
 tained the following words: “ Hibernian patriotism is a transcript of that
 “ filthy idol worshipped at the London Tavern; insolence, assumed from an
 “ opinion of impunity, usurps the place which boldness against real injuries
 “ ought to hold. The refusal of the late bill, because it was not brought in
 “ contrary to the practice of ages, in violation of the constitution, and to
 “ the certain ruin of the dependance of Ireland upon Great Britain, is a
 “ behaviour more suiting an army of White-Boys than the grave represen-
 “ tatives of a nation. This is the most daring insult, that has been offered
 “ to government. It must be counteracted with firmness, or else the state
 “ is ruined. Let the refractory house be dissolved; should the next copy
 “ their example, let it also be dissolved; and if the same spirit of seditious

* Journ. Com. vol. 8. p. 323.

† Ibid. p. 344.

“ obstinacy

“obstinacy should continue, I know no remedy but one, and it is extremely
“obvious. The parliament of Great Britain is supreme over its conquests,
“as well as colonies, and the service of the nation must not be left undone,
“on account of the factious obstinacy of a provincial assembly. Let our
“legislature, for they have an undoubted right, vote the Irish supplies;
“and so save a nation, that their own obstinate representatives endeavour
“to ruin.” These paragraphs having been read, it was resolved, that they
were a false and infamous libel upon the proceedings of that house, a daring
invasion of the parliament, and calculated to create groundless jealousies
between his majesty’s faithful subjects of Great Britain and Ireland: it was
therefore ordered, that the said paper should be burnt by the hands of the
common hangman. And on the Wednesday following, viz. the 20th of
December, the said paper was burned before the gate of the House of Com-
mons by the hands of the common hangman, in the presence of the sheriffs
of Dublin, amidst the indignant shouts of an immense croud of spectators,
who loudly, though without outrage, resented the insult offered to their
representatives.

*On the same day (viz. 18th of December, 1769) Sir Charles Bingham,
according to order, reported from the committee, to whom it had been re-
ferred, to enquire into the state of pensions, the matter, as it appeared to
them, with the resolutions of the committee thereupon. The ministerial party
well knowing, that it was then his excellency’s intention to prorogue the
parliament within the week, and being sensible, that the subject of pensions
was too green a wound to be then probed in that temper of the house, moved,
that the further consideration of the said report should be adjourned until
the first Monday after the Christmas holidays: on this tender subject many
of the ministerialists, who had quitted their ranks on the former questions,
rallied according to their engagements, and outvoted the patriots: ninety-
eight being against the agitation of the pension list at that time, and eighty-
nine only for it. So trifling a majority did not encourage the lord lieutenant
to hazard any more questions before the prorogation: although no hint or
suggestion had been thrown out by the ministry, that it was the intention
of government to prorogue the parliament, yet so fully convinced of it were
the patriots, that on the 20th of that month (of December) the commons

* Journ. Com. vol. 8. p. 345.

resolved,

resolved, that it was their undoubted privilege to address the chief governor, to know whether he had any instructions or entertained any intentions to prorogue the parliament at an unusual season: an address was therefore agreed upon, whereby it was requested, his excellency would inform the house, whether he had any instructions or had any intention to prorogue the parliament sooner than usual. Here again the lord lieutenant found his deficiency *in doing the king's business*: for upon a division on the main question the minister was left once more in a greater minority than ever: there being 106 for his excellency's making the declaration, and 73 only against it.* On the very next day, however, Sir George Macartney, the secretary, reported to the house, that his excellency had returned the following answer.

GENTLEMEN,

“ I shall always be desirous of complying with your request when I can do it with propriety. I do not think myself authorized to disclose his majesty's instructions to me upon any subject, without having received his majesty's commands for so doing. With regard to my intentions, they will be regulated by his majesty's instructions and *future events*.” This answer was neither ambiguous, nor gracious: *past events* had provoked it: and the lord lieutenant awaited only his justification from England of the measure, which his own judgment and disposition had predetermined him to adopt. On the day after Christmas day his excellency put an end to the session.

A message was sent by the gentleman usher of the black rod to the commons to attend his excellency in the House of Peers, where after the royal assent was given to two money bills, the speaker Mr. John Ponsonby made the following speech at the bar of the House of Peers.*

MAY IT PLEASE YOUR EXCELLENCY,

“ His majesty's faithful commons having, upon all occasions, given the strongest, and most distinguished proofs of their loyalty,

* Journ. Com. vol. 8. p. 353.

† It is remarkable that the Journals of the Lords take no notice of the speaker's speech to the lord lieutenant; that appears only in the Journals of the Commons (8 vol. p. 354.) and the Journals of the Commons make no mention of the lord lieutenant's speech to the commons: that appears in the vol. 4 of the Lords Journals p. 538, the whole of which, with the proceedings and protest are to be seen in the Appendix, No. LXI.

“ duty,

“ duty, and affection to his sacred person and government, do now attend your
“ excellency, to present you, for the royal assent, two bills of supply granted
“ by them this session of parliament; one for granting unto his majesty an
“ additional duty on beer, ale, strong waters, wine, tobacco, hides, and other
“ goods and merchandizes therein mentioned; and for prohibiting the im-
“ portation of all gold and silver lace, and of all cambricks and lawns, ex-
“ cept of the manufacture of Great Britain; the other for granting to his
“ majesty the several duties, rates, taxes, and impositions therein particu-
“ larly expressed to be applied to the payment of the interest of the sums
“ therein provided for, and towards the discharge of the said principal sums,
“ in such manner as therein directed. The commons are pleased with every
“ opportunity of testifying their zeal for his majesty’s service; and as they
“ always have, so they ever will continue, to support and maintain his go-
“ vernment with dignity and honor. They think themselves perfectly secure
“ under a prince, who considers it as his highest glory to make all his subjects
“ happy; they humbly presume, that their loyal and dutiful behaviour will
“ entitle them to the continuance of his majesty’s favor and protection, and
“ they are persuaded, from their knowledge of your excellency’s regard to
“ justice, that they shall be represented as a dutiful, a loyal, and a grateful
“ people.”

Whereupon his excellency made a very pointed speech to the commons, setting forth his reasons for protesting against their conduct. Then the lord chancellor, by his excellency’s command, delivered the said protest to the clerks of the parliaments, which he read at the table, and kept, in order to enter it in the Journals of the lords: after which the chancellor, by his excellency’s further command, declared the parliament prorogued to the 20th day of March next. The commons upon their return to their house gave orders, that their clerk should not enter the lord lieutenant’s speech in their Journals.

The lord lieutenant having experienced so much inflexibility and difficulty in the management of the commons in the first session, fully resolved to meet them no more in parliament, till they were more properly marshalled, and thoroughly broken in to every manœuvre of the new tactics. His excellency accordingly by proclamation on the 12th of March, 1770, prorogued them to Tuesday the 1st of May following: on the 20th of April, 1770, he further prorogued them to the 28th of August, and by three other successive procla-

mations he further prorogued them to different periods, and ultimately to the 26th of February, 1771, and then to fit for the dispatch of business. This measure of depriving the nation of all benefit of their representatives, because a majority of them had stood up firmly for their privileges, coupled with the effect produced on the nation by some cavalier and angry expressions, which had escaped the secretary in debate, kept the public mind in a state of foreboding and irritation, which was not merely confined to Ireland. On the 3d of May, 1770, as soon as conveniently could be, after the second prorogation, a motion was made in the British House of Commons, by the Hon. Boyle Walsingham,* on the late extraordinary prorogation of the Irish parliament, which he introduced by a speech, wherein he said, that the state of Ireland was most deplorable; that, in consequence of the last unexpected prorogation, the following temporary laws had expired; the act for assigning judgments, by which the Roman Catholics could alone obtain landed security for their money; that the tax upon hawkers and pedlars had ceased, which had been appropriated to the support of the incorporated society for building Protestant charter schools; that 2800*l.* granted for public works, &c. would remain unappropriated in the treasury; that many useful laws, regarding the late insurrections, and the tillage and improvements of the country, had expired; and concluded with moving, "That an humble address be presented to his majesty, that he would be graciously pleased to give directions, that there be laid before that house, a copy of all instructions given to the lord lieutenant of the kingdom of Ireland relating to the late sudden prorogation of the Irish parliament, at a time when affairs of the greatest national importance to that kingdom were depending in the said parliament, together with the papers, on which the said instructions were founded, and his answers thereto; and likewise a copy of a message of the 16th of November last, from the lord lieutenant of Ireland to the House of Commons of that kingdom, relative to the augmentation of the forces there," which motion was seconded by the Hon. Constantine Phips; upon which the Right Hon. George Grenville said, that the late prorogation was unconstitutional; that the Stuarts had ever been desirous of ruling without parliaments; that prorogations always followed grants of money, as was the case lately in Ireland; that administration had given up the prerogative of

* Parliam. Deb. 5 vol. p. 309.

the crown to obtain the augmentation in Ireland; that Lord Townshend's message, and the king's promise, were contrary to two English acts of parliament, the act of the last sessions repealing the 10th of King William, and to the 13th of Charles the Second vesting the power and disposition of all the land and sea forces in the crown; that if this promise were observed, it would be in contradiction to those two statutes; he believed deceit and delusion had been hung out to the Irish parliament, to induce them to come into the augmentation.

He then moved, that the papers relative to the augmentation also might be laid before parliament.

Lord North, in reply, said, that the prorogation of the Irish parliament was unavoidable; the minister would have been impeachable, if he had advised otherwise: the resolution of the House of Commons was contrary to Poyning's law, the grand bond of the dependence of Ireland upon England, and warranted by the precedent of Lord Sidney in 1692; that, founded upon that, he advised the lord lieutenant's protest, and the prorogation of the Irish parliament; that he affirmed his majesty's bounty from his privy purse would be extended to the incorporated society; that the augmentation could be obtained from Ireland upon no other consideration, than the king's promise of 12,000 men being stationary at all times in that country. Sir William Meredith reverted to the original proposition of his honorable friend; the consideration of the prerogative of the Irish parliament; and in order thereto, he entered into a summary view of Poyning's law, and those statutes, which are derived from it; strongly urging that the Irish House of Commons had a right to give their reason for their votes, which did not impugn in the least the validity of the statute in question. He continued, that he would not then comment upon the violation of the privileges of both houses of parliament by Lord Townshend's protest, but content himself with observing, that in a speech of Sir George Macartney's, printed as it appeared to him in justification of that measure, he said, that this council money-bill was a fine, which they paid for the renewal of parliament, and pointed to a man of great abilities in that country; telling the house at the same time, that he had lost his place of chancellor of the Exchequer, for impeding the progress of a similar bill at the commencement of his present majesty's reign, recommending it to others to avoid a like fate. He then contended, that the proceedings of administrations in Ireland had been most ar-

bitrary and oppressive. Their house had a coercive power over ministers in every part of the British empire; and he hoped, that the afflicted country of Ireland, would obtain from the British legislature, that reparation, which her own parliament could no longer give her; and that their policy and interest would induce them to do that, which justice loudly demanded from them.

The house at length divided upon the question, when 66 were for it, and 178 against it.

The augmentation of the army had very considerably augmented the debt of the nation, which for two years ending at Lady Day, 1769, amounted to 628,883*l.* 17*s.* 10½*d.* and the pensions during the same period amounted to 177,052*l.* 11*s.* 5½*d.* The national distresses called loudly for the interference of the legislature. All were dissatisfied: some publicly complained. The corporation of the city of Dublin, on the 29th of October, 1770, transmitted an address under their common seal to his majesty, wherein they humbly informed him, that from some defects in the laws relative to corn, flour, and other necessaries of life, and in the laws affecting the police of that city (a situation from which they could only be relieved by the meeting of parliament), his majesty's subjects there experienced many and great difficulties, and apprehended yet greater; and therefore besought his majesty to grant them such relief, as in his royal wisdom he should think fit. During this cessation of parliament, the lord lieutenant redoubled his efforts to complete his operose system of ensuring a majority of individuals. This necessarily exposed him to numberless applications, to which he neither had the means nor the will to accede. Anxious to perfect his system with all possible dispatch, he frequently found himself thwarted by the slenderness of his means, but had the address to accompany the disappointment or refusal with some trait of humour, which ingratiated rather than offended the Irish.*

The dearth of political virtue in Ireland has long been the theme of lamentation to most men, of derision to some, and even of boast to others: the historian has but to shew, who at different times have supported, who have deserted, and who have resisted her cause. During the long interval of 14 months, that Ireland, greatly distressed and impoverished, was kept without a parliament, the lord lieutenant did not labour in vain to bring over a confi-

* It has been generally supposed, that this noble lord had sketched and published a caricature (in which he excelled) of himself, with his hands and feet fettered: he had one of them in his study, and would often humourously point to it by way of apologizing for a refusal.

derable portion of the opposite party ; at the head of which shone conspicuous, the great *quondam* patriot, Mr. Sexton Pery, who was first seated in the chair of the house of commons, with a promise of being soon after raised to the peerage. With this accession of force the lord lieutenant, on the 26th of February, 1771, faced the parliament in full confidence ; he told them in his speech, it was with the truest satisfaction that he obeyed his majesty's commands to meet them again in parliament. He observed in his speech, that the then high price of corn was an object of the first importance, and demanded the most serious attention ; at the same time he recommended the continuance or revival of such laws, as should be found to be immediately necessary for the general good of that country. Addresses were passed as usual to his majesty by both houses, and also to the lord lieutenant ; and the commons, in their address to the former, acknowledged, with the most perfect submission, that they were ever tenacious of the honor of granting supplies to his majesty, and of being the first movers therein, as they were the voluntary tribute of grateful hearts to the best of monarchs ; and they most humbly besought his majesty, that he would not permit their zeal in this particular to be construed into an invasion of his royal authority, than which nothing was more distant from their thoughts : they likewise returned their most humble thanks to his majesty, for continuing his excellency, Lord Townshend, in the government of that kingdom. This address was carried by 132 against 107. In consequence thereof the speaker wrote the following letter, which was communicated to the house by the clerk on the 4th of March, 1771.

“ To the Honourable the House of Commons of Ireland.

“ GENTLEMEN,

“ When I had the honor of being unanimously elected to the chair of the
 “ house of commons, I entered on that high office full of the warmest sentiments of loyalty to his majesty, and firm determination to dedicate my
 “ whole endeavour to preserve and transmit to my successor, inviolate the
 “ rights and privileges of the commons of Ireland. But on the last day of
 “ the last session of parliament, his excellency the lord lieutenant was pleased
 “ to accuse the commons of a great crime, which I am confident was far
 “ from their intentions, as it ever was and ever shall be far from mine, that of
 “ intrenching upon his majesty's royal power and authority, and the just and
 “ undoubted rights of the crown of Great Britain ; and as it has pleased the
 “ house of commons to take the first opportunity after this transaction, of
 “ testifying

“ testifying their approbation of his excellency, by voting him an address of
 “ thanks this session; and as the delivery of such approbation to his excel-
 “ lency is incidental to the office of speaker, I beg leave to inform you, that
 “ as such thanks seem to convey a censure of the proceedings, and a relin-
 “ quishment of the privileges of the commons, my respect to them must prevent
 “ my being the instrument of delivering such address; and therefore I request
 “ you may elect another speaker, who may not think such conduct incon-
 “ sistent with his honor. I am, gentlemen, your most obliged and most hum-
 “ ble servant, *John Ponsonby*, speaker.”

The commons having hereupon proceeded to elect a new speaker, Edmond Sexton Pery,* Esq. had a majority of four votes, and was appointed in the room of Mr. Ponsonby.

Mr. J. Ponsonby on this occasion was as much applauded by the people for his dignity of spirit and purity of principle, as the conduct of Mr. Pery was reviled and execrated. As the lord lieutenant had now secured a majority in parliament, his grand manœuvre was to do away the effects of the votes of the last session, and justify his conduct in the sudden and continued prorogations of the parliament. Nothing was permitted to pass without a divi-

* The conduct and speech of Mr. Pery on this occasion bespoke the forward zeal of a new profelyte.

“ MAY IT PLEASE YOUR EXCELLENCY,

“ THE commons in parliament assembled, have, in obedience to your ex-
 “ cellency’s command, proceeded to the election of a speaker, and have elected me, and now at-
 “ tend to present me to your excellency. It would give your excellency no favourable impression of
 “ my sincerity, if I were to pursue the usual form, and affect to decline this important office. I
 “ confess it is the highest point of my ambition, and if I have the honor of your excellency’s appro-
 “ bation, I shall endeavour to prove by my conduct, that I have not been more solicitous to obtain,
 “ than I shall be anxious to discharge the duties of it.” The lord chancellor receiving directions
 “ from his excellency the lord lieutenant, said, “ Mr. Pery, I am commanded by his excellency
 “ the lord lieutenant, to declare his full approbation of the choice, which the commons have made
 “ of you for their speaker, and he has the strongest confidence that your knowledge of the laws and
 “ constitution of your country, your experience in the business of parliament, and your loyalty to
 “ the king, which so eminently qualify you for that important office, will carry you through it
 “ with honor and universal satisfaction.” Then Mr. Speaker said, “ Since your excellency has been
 “ pleased to approve the choice of the commons, permit me to make my most humble and grateful
 “ acknowledgments to your excellency, for having expressed your approbation in a manner so gra-
 “ cious, and in terms so honorable to me; and to assure your excellency that I shall endeavour to
 “ merit the continuance of your excellency’s favour, by the faithful discharge of my duty.”

tion;

sion ; upon each of which successively the patriots fell off. They were however resolved to leave to posterity upon their Journals a faithful portrait of their suffering country in that state of decline; they moved and put the question, which was lost by a majority of 123 against 68, "That an humble address be presented to his majesty, expressing, that his faithful commons of Ireland have been always most ready to repose the utmost trust in the persons employed in high authority under his majesty; that therefore his faithful commons did confidently hope, that a law for securing the independency of the judges of this kingdom would have passed: such a law having been recommended, and promised by his excellency the lord lieutenant, in the speech from the throne, in the first session of his excellency's government. That, in like manner, as his excellency had recommended to that house, in his speech from the throne, in that session of parliament, an attention to the high price of corn, his majesty's faithful commons did flatter themselves, that the tillage of the kingdom would have received encouragement; but that, on the contrary, in a session professedly called for the making and receiving useful laws, his majesty's commons had the unspeakable grief to find, that two laws heretofore enacted, and transmitted, in order to be continued and revived, for the benefit of tillage; one for the restraining of distilleries, the other for a bounty on the carriage of corn coastways, had not been returned, though calculated to meet and correspond with the wishes of government, expressed from the throne, respecting that important article to the community, whereby that kingdom has been debarred of the benefit of two useful laws; the salutary effects of which they had formerly experienced, and which the then existing circumstances of that country, and the morals of the people, peculiarly required. That the suppression of those bills, and the unexpected alteration of others, whereby the hopes of that country, founded in the declarations of his majesty's servants there, had been frustrated, tended to weaken the confidence of the public in his majesty's ministers, so essential to the dignity of the crown, and to the happiness of the subject. That both public and private credit, was in a very low state, that government securities, which used to bear a considerable premium, could not then be circulated at par. That money could scarcely be obtained, and that the price of land was falling. That the circumstances could not fail to be attended by melancholy and anxious apprehensions in the most loyal of his majesty's subjects; and imploring that his

" majesty

“ majesty would be graciously pleased to take such steps for the remedy thereof, as his royal wisdom and paternal dignity should suggest.”

In the address of the commons to the lord lieutenant, which was moved for and carried on the 16th of May, two days only before the prorogation, the patriots objected to the thanks contained in it for his excellency's *just and prudent administration*; but on a division they were outvoted by 106 against 51: this address together with the king's answer* to the address of the commons to the throne, was considered, by the castle, to have completely counteracted the whole effect of the successful efforts of the patriots in the last session, and to have given the express royal sanction to every part of the viceroy's conduct.

The address of the lords to the king contained the following paragraph: “ We have the truest sense of the many instances, which your majesty has been pleased to afford us of your paternal care, and particularly your continuing the Lord Viscount Townshend in the government of this kingdom, of which, as his experience enables him to form the truest judgment, so his candor and integrity will we doubt not, move him to make the justest representation.” A warm debate took place upon the question being put, that the said paragraph do stand part of the address; which was carried by thirty against fifteen. The protest entered by sixteen lords on this occasion, is an authentic and very precise historical document of the grounds and

* 2nd of May, 1771. Journ. Com. vol. 8. p. 383. The Right Honorable Sir George Macartney informed the house, that he was commanded by his excellency the lord lieutenant, to acquaint them, that his majesty had been pleased to return a most gracious answer to the address of this house, which he read in his place, and after delivered in at the table, and the same was read by Mr. Speaker (all the members being uncovered) and is as followeth,

“ GEORGE R.

“ His majesty thanks the house of commons for the many warm expressions of affection and loyalty contained in their address, and for their congratulations on the increase of his family.

“ His majesty is extremely glad to find that the opportunity he has given them of consulting together, at this time, for the general good of his kingdom of Ireland, has been received by them with so much satisfaction, and he trusts it will be productive of every benefit to the public that they could desire.

“ His majesty is well pleased with the assurances given by the house of commons, of their regard for his rights and those of the crown of Great Britain, which it is his indispensable duty to assert, and which he shall ever think it incumbent upon him to maintain.

“ G. R.”

nature

nature of the opposition made in parliament to that lord lieutenant's administration.

**Dissentient.*

1^o Because the repeated proofs we have of his majesty's paternal tenderness towards his people, convince us, that a misrepresentation of his faithful commons could alone have determined his royal breast to exert his undoubted prerogative of proroguing his parliament at a crisis, when the expiration of laws essential to the well-being of this kingdom, seemed peculiarly to point out the most urgent demand for the assistance of the legislature: at a time, when the commons had given a recent efficacious testimony of their unremitting zeal for his majesty's service, by voting an augmentation of his majesty's forces; a measure, which had been represented to parliament as highly acceptable to the king; at a season too, when the suddenness of this unexpected mark of royal displeasure, rendered its consequences almost irremediably fatal to the nation, insomuch, that we see, with the deepest concern, an extraordinary deficiency in his majesty's revenue, proceeding from the declining state of our credit, trade, and manufactures, thereby occasioned.

2^o Because the unbounded confidence we repose in his majesty's inviolate regard to the fundamental principles of the constitution, assures us, that the attempt, which has been lately made, to infringe that balance, indefeasibly inseparable from its very formation, by entering upon the journals of this house a protest, animadverting upon the proceedings of the house of commons, was the result of pernicious counsels, insidiously calculated to alienate the affections of the most loyal subjects, from the most amiable of princes: an opinion, in which we conceive ourselves by so much the better founded, as this unconstitutional extension is unprecedented; (save only in one instance) which was followed by just disapprobation of the sovereign, testified by the immediate removal of the chief governor. We further conceive, that as the constitution of this kingdom is, in respect to the distinct departments of the crown, the lords, and the commons, one and the same with that of Great Britain; we should depart not only from our duty to our king, and to this our country, but likewise from that, which we owe to Great Britain, if in our high capacity of hereditary great council of Ireland to the crown, we should acquiesce under an attempt, which manifestly tends to subvert

* Lords Journ. vol. 4. p. 545.

that reciprocal independence of the three estates, which is the basis of its security.

3° Because the justice and piety, which shine conspicuous in our sovereign, as well in his domestic life as on the throne, do not suffer us to suppose, that this dismissal of trusty nobles and commoners from his majesty's privy council; the former only, because they made a just exercise of their hereditary birth-right as peers of the realm, the latter, on account only of their parliamentary conduct, can have proceeded from the truly-informed intention of so great and good a prince.

4° Because moderation, firmness, consistency, a due distinctive regard to all ranks of persons, a regular system of administration, being, as we conceive, indispensably requisite to the support and dignity of government, and to the conduct of his majesty's affairs, we cannot, without violation of truth and justice, return thanks to the king for continuing a chief governor, who in contempt of all forms of business and rules of decency, heretofore respected by his predecessors, is actuated only by the most arbitrary caprice to the detriment of his majesty's interests, to the injury of this oppressed country, and to the unspeakable vexation of persons of every condition.

Leinster, (by proxy)	Baltinglass,
Westmeath,	Mount-Cashell,
Lanesborough,	Moir, (by proxy)
Shannon,	Longford,
Mornington,	Louth,
Lisle,	Bective,
Powercourt,	Molesworth,
Charlemont,	Bellamont.

And when on the same day it was resolved, that the address to the lord lieutenant, then before the house, should stand the address of that house: the same sixteen peers* protested against it. Because the address to the lord lieutenant having contained acknowledgments of thanks to his excellency for his conduct in the government of that kingdom, to which they were conscious he had not any just claim, they had therefore conceived it to be their

* These same lords also protested against the motion for entering the lord lieutenant's protest on their journals: it is also a well considered, well worded and truly constitutional representation of that extraordinary and illegal measure of Lord Townshend: which see in the Appendix, No. LXII.

duty to withhold even that accustomed compliment. No policy is more unwise, than to attempt to suppress from a nation (as from an individual) in debt the real state of its finances. It appears evident, from the arguments of the still uncorrupted patriots of the house of commons, from the protests of the sixteen peers, from the state of the national accounts still upon record, and from other historical documents, that the national debt of Ireland very heavily accumulated during the administration of Lord Townshend: yet we find, that after the experience, which two years and a quarter had given him of the inadequacy of the fiscal resources of that kingdom to answer his new plan of keeping up the *English interest*, he refrained from calling on the commons for any supplies, alledging in his speech to parliament, on the 26th of February, 1771, that with very strict œconomy, the duties granted last session would be sufficient to answer the expences of his majesty's government; and therefore he would ask no further supply.

The confidence, with which Lord Townshend met the parliament in October 1771, was strongly depicted in his speech. "My experience," said his excellency, "of your attachment to his majesty's person, and of your zeal for the public service, affords me the best grounded hopes, that nothing will be wanting on your part to co-operate with his majesty's gracious intentions to promote the welfare and happiness of this kingdom, and when to this consideration I add my remembrance of your kind regard for the ease and honor of my administration, I feel the most sensible pleasure in the present opportunity, which his majesty has given me of meeting you a fourth time in parliament."* Notwithstanding his boasted œconomy, which prevented his application to the commons for any further supply in the last session, he now told them, that it was with concern, that he must ask a sum of money to discharge the arrears already incurred on his majesty's establishments, but that they would find, they had been unavoidable; for that the strictest œconomy had been used, not only in the charges of the late augmentation, upon which a very large saving had been made, but in the reduction of the staff, which was then diminished to the number directed by his majesty.†

Another

* Journ. Com. vol. 8. p. 403.

† Very strong objections have been made to the unconstitutional system of Lord Townshend's administration both in and out of parliament: but he had now so completed his system of managing

Another part of the lord lieutenant's speech referred to the illegal associations and audacious outrages committed in divers parts of the kingdom, but especially in the north, which deserved their most serious attention, being as destructive to commerce, as disgraceful to liberty: the parliamentary proceeding upon this recommendation, was a still stronger illustration of the unconstitutional tendency of the measures and general system of that nobleman's administration. One of the insurgents, charged with felony, had been apprehended and carried to Belfast, and there confined in order to be transmitted to the county jail. Provoked by this treatment of their associate, several thousands of them proceeded to Belfast, to rescue the prisoner. When intelligence of this reached the town, it being resolved not to give him up, he was removed to the barrack, and placed under a guard of soldiers. The Steel Boys pressed forward to the barrack, firmly determined to effect a rescue. The consequence in all probability, would have been fatal to many on both sides and to the town, had not a gentleman of commanding influence, interposed, at the risk of his life, and prevailed with the military to set the prisoner at liberty. Being delivered up to his associates, they marched off in triumph. One house only experienced the effects of their resentment. Many, who were engaged in this enterprize, returned home, and had afterwards no further connexion with the rioters: yet their numbers daily increased, and their spirit extended to the neighbouring counties. Besides the

the house of commons, that he was sure on all occasions of one third majority on any question: and it is remarkable, that by such majority did he carry the question on seventeen different divisions, which took place in the house of commons on the two first days of the session. Most of these questions arose upon the eulogies contained in the addresses upon the lord lieutenant's conduct and administration. Some however turned upon mere matters of fact, which the patriots charged him with having designedly misrepresented in order to deceive the people. One of the questions, upon which they divided, was upon a proposal to insert in the address the following words: "notwithstanding that the said resolution was proposed to obviate the tendency of that part of the lord lieutenant's speech wherein he insinuates, that the deductions made from the revenue for payment of grants, for premiums, bounties, and public works, were the cause of the great arrears mentioned in his excellency's speech." Another division took place upon a motion for adding the following words to the address: "notwithstanding we must observe, that two of the gentlemen, who resigned the staff, are aged and infirm, so that the public are not likely to receive so much benefit from that alteration, as was graciously intended by his majesty: and that a pension of 200*l.* a year has been granted to General Lambert, and 300*l.* a year to his wife, in consideration of his long and faithful services, making in all 500*l.* a year, which is within 47*l.* 10*s.* of the saving accruing to the public from his resignation." *Vide Com. Journ. vol. 8. p. 408.*

oaths,

oaths, which they exacted, they ill treated individuals and destroyed houses: and several were guilty of other flagrant acts of inhumanity. Some of them were taken and tried at Carrickfergus; but whether from want of evidence, from fear of incurring the resentment of the populace, or from partiality in the witnesses and the jury, they were acquitted. On this account the legislature passed an act, by which all persons indicted of such offences were ordered to be tried in counties different from those, in which the excesses were committed. In consequence, several of the *Steel Boys*, against whom examinations had been taken, were carried to Dublin and put upon their trial. But so strong was the prejudice conceived against this new law, that no jury there would find any of them guilty.

But when the* obnoxious act was repealed, reflection took place, and the pernicious

* This act 11 and 12 of Geo. III. c. v. was entituled, "*An Act for the more effectual Punishing wicked and disorderly persons, who have committed, or shall commit violences and do injuries to persons or properties of any of his Majesty's subjects in the Counties of Antrim, Down, Armagh, City and County of Londonderry, and County of Tyrone, or any of them; or who shall deliver or publish Threatening Letters, or who resist or oppose the levying the public Taxes in the said Counties, or any of them; and for the more effectual bringing to Justice certain Offenders therein mentioned.*" And the sixth section of it is to the following effect, "and whereas there is great reason to believe, that such wicked persons have been greatly encouraged in the commission of such enormous crimes by their hopes of being acquitted, if to be tried by the petty juries of their respective counties: for the more impartial trial of all persons so as aforesaid offending, be it enacted by the authority aforesaid, that if any indictment or indictments for offences committed, since the first day of January last, or which shall be committed against the said acts of the twenty-ninth reign of his late majesty George the Second and the fifth of his present majesty, herein before mentioned, or either of them, or for high treason or murder committed since the first day of January last, or to be committed hereafter, or for any offence or offences, which shall hereafter be committed against this act, shall be found in any of the said counties, where such offences shall be committed, the offender or offenders to be mentioned in such indictment or indictments, may be proceeded against and tried upon indictment or indictments for such offences before such commissioners of oyer and terminer and general gaol delivery, as shall be assigned by the king's majesty's commission under the great seal of this kingdom of Ireland, by the good and lawful men of the body of the county of Dublin, or of the county of the city of Dublin, as respectively shall be appointed in such commission, and at such place within the said counties or either of them as shall be appointed in said commission; and such proceeding shall be valid and effectual in the law, as if the offence had been done within the county, where the same shall be tried; and such indictment or indictments in such cases, shall be certified unto such commissioners upon his majesty's writ of *certiorari*, to be issued for that purpose; and that in all such cases no challenge to
" the

pernicious consequence of the principles and the conduct of the insurgents began to be viewed by the people in the true light. Once more some of them were tried in their respective counties. The indictments were proved, and they were condemned and executed. These examples, with proper exertions of the military, extinguished the commotion; though the consequences of it produced effects that were permanent, and highly prejudicial to the country. In a short time, many thousands of its inhabitants emigrated to America.

The great ground of opposition to Lord Townshend's administration was, that in supporting the government by unconstitutional means, he deprived the country of that basis of freedom and happiness, to which by the fair enjoyment of its constitution it was entitled. When therefore the address of thanks to the king was reported to the house by Mr. Foster, of which the second paragraph began in these words, "*We are fully persuaded, that the support of your majesty's government is the great and firm basis of the freedom and happiness of this country,*" an amendment was proposed, that before the word *support*, the word *constitutional* should be inserted; it was negatived by a majority of 88 against 36.*

The baneful example of the chief governor's marshalling the ranks of parliament encouraged the already too deeply rooted principle of despotism throughout the nation. Not only the great lords and real owners of land exercised in general a most ferocious rule over their inferiors; but that obnoxious race of self-created gentlemen, whose consequence and virtue consisted in not being Papists, and whose loyalty was mere lust for persecuting and oppressing them, were uncontrollable in their petty tyranny. Even the lord lieutenant was so sensible of it, that being resolved to pardon a Catholic gentleman unjustly found guilty, he withdrew the hand of mercy, with this reflection: *I see them resolved upon his blood; so he may as well go now.*

The

" the array or the polls shall lye, or be allowed, by reason that the jurors do not or have not come from
 " the proper county or place, where the offence was committed, or by reason, that the trial is out of
 " the county or place, where such offence was committed; but nevertheless upon the trials of such
 " offences the challenge to any juror for want of freehold in the county where the same shall be tried
 " by virtue of this act, and all other due challenges to jurors shall be allowed, any thing in this present
 " act contained to the contrary in any wise notwithstanding."

* During this administration we find by the Journals mentioning the tellers upon the different divisions, that three of the most forward and constant supporters of every government question
 were

The remainder of Lord Townshend's administration went over without any further incident worthy of notice, either from the opposition of the patriots within, or the disturbance of other persons out of parliament. It is remarkable, that the whole of this lord's administration should have passed without any public act, or the agitation of any question concerning the Roman Catholics. Lord Townshend's natural humanity and benevolence concurring with the known disposition of his gracious majesty to lenity and liberality, softened as much as possible the rigor and sharpness of the existing laws. His lordship could not however retire from a situation, which he had holden for near five years, without having given some proof of his zeal for promoting the Protestant religion. Having been so successful in proselytizing for the state, he recommended to parliament his own specific in gaining converts to the church. Such efficacy did he annex even to the smallest pension, that he conceived an additional 10*l.* per ann. a more powerful lure to bring over the Catholic clergy, than any of the means of rigor or intimidation enacted by former statutes. A provision had been made by the 8th of Ann, that every Popish priest, who had or should become Protestant, and be approved of as a convert, should have 30*l.* yearly for his maintenance, until provided for by some ecclesiastical preferment beyond that amount. But by an act of this session it was recited, that it had been found by experience, that the former act had not answered the purposes intended, *especially as the provision made as aforesaid for such Popish priests is in no respect a sufficient encouragement for Popish priests to become converts*; it was therefore enacted, that 40*l.* should in future be allowed annually, in lieu of 30*l.* to every Popish priest converted from the Popish to the Protestant religion. The multiplication of these allowances up to the height of the most proselytizing zeal could not interfere with the civil list of pensioners, as these spiritual dou-

were Mr. Monk Mason, Mr. Foster, and Mr. Fitzgibbon: and historical justice obliges us to remark, that the truth or falsity of the propositions little availed, provided it were made a government question. Thus besides the instances already adduced, we find upon the Journals (8 vol. iii) the following resolution negatived on the 8th of March, 1766: "That it be resolved, that the office of a commissioner of his majesty's revenue would be better executed by a person resident in this kingdom, than by an absentee." During this session of 1771, died Dr. Lucas, whom, from his first entrance into political life, no promises or offers could seduce from untainted patriotism; in this particular he has been more admired than imitated by his countrymen.

* 11 and 12 Geo. III. c. xxvii.

ceurs were to be levied on the inhabitants of the district, wherein the convert last resided.*

This act for the encouragement of converts to the Protestant religion was also in some measure deemed necessary to counterbalance the effects of another act made in the same session, supposed to be very favourable to the Catholics, and which in times of less liberality had been repeatedly thrown out of parliament, as tending to encourage Popery to the detriment and prejudice of the Protestant religion. This was *An Act to encourage the reclaiming of unprofitable Bogs*.† This act recites, that there were large tracts of deep bogs in several counties of the kingdom, which in their then state were not only unprofitable, but by their damps rendered the air unwholesome; and it had been found by experience, that such bogs were capable of improvement, and of being converted into arable or pasture land, if encouragement were given to the lower class of people to apply their industry to the reclaiming of them. It therefore enacted, that, notwithstanding the laws then in force, any Catholic might be at liberty to take a lease of fifty plantation acres of such bog, and one half an acre of arable land adjoining thereto, as a site for a house, or for the purpose of delving for gravel or limestone, for manure, at such rent, as should be agreed upon between him and the owner of the soil, as also from ecclesiastical or bodies corporate; and for further encouragement, the tenant was to be free for the first seven years from all tythes and cesses; but it was provided, that if half of the bog demised were not reclaimed at the end of twenty-one years, the lease should be void; and no bog was to be considered unprofitable, unless the depth of it from the surface, when reclaimed, were four feet at least; and no person was to be entitled to the benefit of the act, unless he reclaimed ten plantation acres; and the act was not to extend to any bog within one mile of a city or market town.‡

When

* The consequence, which by this act appears to have been annexed to the paltry sum of ten pounds per annum, rather justifies the wit of the Irish (they will be witty on the gravest subjects) upon the efficacy of *Townshend's golden drops*; upon which, songs, squibs, toasts, and epigrams were endless.

† 11 and 12 Geo. III. c. xxi.

‡ I have been rather particular in detailing the substance of this act, in order to give legislative proof of the unnatural and unaccountable parsimony, with which the Irish government heretofore dealt

When Lord Townshend met the parliament for the last time, after the common place topics of congratulations and thanks for their long and close attention to public business; he particularly assured the commons, that he should faithfully apply the supplies granted at the beginning of that session to the support of his majesty's establishment, and to the advancement of the public service. Yet that the arrears incurred before their meeting upon his majesty's establishment civil and military had made it necessary for him to borrow 100,000*l.* immediately after the act was passed; and that that sum not sufficing, he had since been obliged to raise the remaining 100,000*l.* being the full extent of the credit entrusted to him by that act. We have seen that some fruitless divisions were made, upon the different conceptions, which the patriots had of the lieutenant's applications of the revenue, to the advancement of the public service; they did not consider the public purse liable to any of these appropriations by way of bargain or remuneration, by which they openly charged the lord lieutenant with having obtained a majority of the members, in his support, and kept them steady in their ranks.

dealt out justice even to themselves and country. Such extreme bigotry could not be credited, if the public records of the nation, even as late as 1771, did not proclaim it in every line of the above-mentioned act. The liberal and philosophical Dr. Campbell has given us a striking instance of the backwardness of government, in earlier days, to encourage or promote the advantages, which nature has lavished on that country. Writing from Cashel in 1775, he says, that the first place he stopped at in the province of Munster, going from Kilkenny, was a little village called Killinaul; there he entered into conversation with his landlord. (P. 120.) "Upon my supposing, in my turn, that the clear fire before me was of Kilkenny coal, his answer was somewhat indignant, yet fraught with information." "Arrah no! my dear jewel, for by Shafus we have as good coal as Kilkenny ourselves, ay and better too. The devil an inch you rode to day but upon coal pits. Sure it is we, that serve all Munster with coals, and Connaught too. Did not the Dutch boors offer to their countryman, King William, that, if he would let them live by the laws of Holland, that they would make meadow ground of the whole bog of Allen, and carry the coals of Killinaul, through their canals, all over Ireland, ay and England too. For you see, that our coal is the hottest coal in the universe, and the only coal for drying malt with, because it has no smoke, and therefore gives the beer neither taste nor smell." He then touched upon the affair of the *White Boys*, to whom he was no friend. He said they had been in that town the very night before. You have heard of these banditti. I am not yet in possession of the true state of their case. For it is so variously represented in this country, that one must listen with attention, and assent with caution. But the whole country round Killinaul bears upon the very face of it an evident and sufficient cause for their insurgency; if insurgency it may be called, where each housekeeper disclaims all connection with the wretches concerned.

Every effort to countervail the system so successfully established by this lord lieutenant became not only negatively fruitless, but positively mischievous by encreasing the evil and extending the infection. As this governor had completely succeeded in his arduous attempt of reducing the parliamentary influence of Ireland to the uncontrollable direction of the castle, he took care in this farewell speech to leave such a portrait, as he wished to hand down to posterity of his administration of the kingdom of Ireland.

“ His majesty gave it in express command to me, to make your interest
 “ and prosperity the great object of my administration, and my own inclination incited me to a strict and zealous performance of that duty. I
 “ have upon every occasion endeavoured, to the utmost of my power, to
 “ promote the public service, and I feel the most perfect satisfaction in now
 “ repeating to you my acknowledgements for the very honorable manner,
 “ in which (after a residence of near five years amongst you) you have declared your entire approbation of my conduct. Be assured that I shall
 “ always entertain the most ardent wishes for your welfare, and shall make
 “ a faithful representation to his majesty, of your loyalty and attachment
 “ to his royal person and government.”

How far this chief governor of Ireland did in reality promote the interest and happiness of the people of Ireland, the unbiassed observer of past scenes will judge more accurately than the chief actor himself. His lordship however has the credit of having ably performed the part allotted to him; as Dr. Campbell observed in the year 1775, his successor *Lord Harcourt then found the parliament of Ireland as obsequious as that of Great Britain.**

When Lord Harcourt assumed the government in October, 1772, he had little to do, but to continue the system, which his predecessor had with so much perseverance, difficulty and charge to the finance regularly established according to his instructions from the British cabinet. In order therefore to give continuance and stability to the new *English interest*, which had been raised upon the partial destruction of the Irish oligarchy, as Lord Clare observed, a man was chosen of amiable character, easy disposition, and of no other ambition than to move by the direction, and thus acquire the approbation of his immediate employers. With the active labor of office he considered, that he also threw the burthen of responsibility upon his secretary.

* Phil. Surv. p. 59.

He had been nearly twelve months in the government of Ireland before he met the parliament, on the 12th of October, 1773. Nothing particularly commands attention in his excellency's speech: he assured the commons, that he had it in command from his majesty, to lay before them the public accounts and estimates, by which they would be able to judge of the provisions necessary to be made for the honorable support of his majesty's government, and to ask the necessary supplies for that purpose; which on his part he pledged himself should be faithfully applied and frugally administered. The address, thanks and other proceedings usual at the commencement of a session passed without opposition. The first stand made by the patriots, was upon an alarm at the intention of government, in laying the accounts before the house, to hold back several of the documents, which would too palpably bring to light, the means used in the late administration of ensuring a majority *to do the king's business*.* After the house had ordered the different accounts and estimates to be laid before them,† a motion was made for an address to his excellency, that he would be pleased to give directions to the proper officers to lay before the house the estimates; and an amendment was proposed to be made to the question, by adding the following words, *as far as there are materials for that purpose*: upon which a division took place, and the amendment was carried by 88 against 52. Thus was it left in the discretion of the clerks, or rather of their patrons, to bring forward or hold back what materials they chose.‡

On the 24th of December, 1773, the commons were summoned to attend the lord lieutenant at the bar of the house of Peers, when his excellency gave the royal assent to some money bills, and to the repeal of that unconstitutional act for the trial of offenders out of their own counties, passed in Lord Townshend's administration. Mr. Pery had too long sided with the patriots, not to see the real state of distress and difficulty, into which the country was then plunged: and having himself gone over upon terms to the court party, he found it difficult to take any step or suggest any measure to the House of Commons, that could effectually check the ruinous system, in which the patriots would not cordially join; and this would have been considered by

* Or rather, as Lord Clare observed, *the Minister's*.

† Journ. Com. vol. 9. p. 16.

‡ By this division we see the proportionate strength of the opposite parties in the house.

the people out of doors either as concession, or coalition. A middle plan was therefore devised, by which the feeling and sense of the representatives of the people should be, in part at least, handed up to the throne through the lord lieutenant, without weakening the majority by hazarding the steadiness of individuals on questions too palpable for plausible controversy. To accomplish this half measure, calculated to commit ministers, no further than to the uncertain result of consequences, Mr. Pery, the speaker, delivered the following speech at the bar of the House of Lords.*

MAY IT PLEASE YOUR EXCELLENCY,

“ The commons have exerted their utmost efforts to answer your excellency’s expectations, not only in providing for the discharge of an arrear of 265,000*l.* but also in making an addition to the revenue of near 100,000*l.* a year. Difficult as this task appeared in a kingdom so destitute of resources as this is, yet it was undertaken with cheerfulness and prosecuted with vigour; but if the means they have employed shall prove inadequate to the liberality of their intentions, it must be imputed to the inability of the kingdom not to any disinclination or unwillingness in them to make ample provision for his majesty’s service, to which they have sacrificed their most favorite objects. The moderation and temper, with which all their proceedings have been conducted during the course of this session, afford the clearest proof, not only of their gratitude for his majesty’s attention and condescension to their wishes, but also of the just sense they entertain of your excellency’s effectual intercession in their favor, to which they attribute those measures of œconomy, which have been lately adopted, and which they doubt not will be continued; and they have the fullest confidence, that the same humane and benevolent disposition will induce your excellency to represent to his majesty in the strongest light, not only their duty and affection to him, but also the state and circumstances of this kingdom: from which, and from your excellency’s credit and influence, they conceive the most sanguine hopes, that those restrictions, which the narrow and short sighted policy of former times, equally injurious to Great Britain and to us, imposed upon the manufactures and commerce of this kingdom, will be remitted. If Great Britain reaped the fruits of this policy, the commons of Ireland would

* Com. Journ. vol. 9. p. 73.

“ behold

“ behold it without repining, and submit to it without complaining; but it
 “ aggravates the sense of their misfortunes to see the rivals, if not the ene-
 “ mies of Great Britain, in the undisturbed possession of those advantages,
 “ to which they think themselves entitled upon every principle of policy and
 “ justice. It is the expectation of being restored to some, if not to all of
 “ those rights, and that alone, which can justify to the people the conduct of
 “ their representatives in laying so many additional burdens upon them, in
 “ the course of this session; and no time can be more favorable to their
 “ wishes, than the present, when the public councils are directed by a
 “ minister, who has judgment to discern, and courage to pursue, the common
 “ interest of the whole empire, and when the throne is filled by a monarch,
 “ the sole object of whose ambition is to render all his people happy.”

Lord Harcourt's administration at first promised so much moderation and fair intention to promote the real interest of Ireland, that it met with the support of several most respectable and popular characters, which afterwards opposed it, when they found it carried forward entirely upon the principles and plan of the administration of Lord Townshend. There was an affectation of correcting some of the defects, errors, and extravagances of the last administration; thus was the insurgent act repealed: thus was the board of excise,* created

* The following proceedings in the commons were had upon this subject. (9 Journ. Com. 28).

“ The house being informed that Mr. Vaughan Montgomery attended at the door, he was called
 “ in, and at the bar presented to the house, pursuant to their order:

“ No. I. An account of all charges that have attended the new boards of excise and customs,
 “ distinguishing each expence, and for what paid, from the 3d of February, 1772, to the 26th of
 “ October, 1773.

“ No. II. An account of all charges that have attended the appointment of the four new surveyors general, from their respective appointments to the 26th of October, 1773.

“ No. III. An account of all new offices and additional charges on the establishment of the commissioners of excise during the period of Lord Viscount Townshend's administration.

“ The titles whereof were read, and the accounts ordered to lie on the table for the perusal of the
 “ members.

“ A motion was made, and the question being proposed, that it be resolved, that the present expences of government ought to be greatly retrenched;

“ An Amendment was proposed to be made to the question by inserting between the word
 “ resolved,” and the word “ that,” the following words, “ that it is necessary and parliamentary at
 “ this time to declare.”

“ And the question being put, that the words proposed, stand part of the question:

“ It was carried in the affirmative, *Nem. Con.*

“ An

created in the former administration, abolished, and thereby some saving made to the nation. It must however be allowed, that this lord lieutenant had the exclusive merit of having proposed a measure, which the interests of Ireland had long called for, and which the influence of the great land owners in the country had always opposed. At the beginning of the first session under Lord Harcourt, an absentee tax was offered on the part of government, and wonderful to say, was rejected. In the then distressed and impoverished state of Ireland, it will be neither rash nor harsh, to conclude, that the patriotism of the majority, which rejected this seasonable relief to their country could have been neither disinterested nor pure. It was proposed, that a tax of two shillings in the pound should be laid upon the net rents and annual profits of all landed property in Ireland, to be paid by all persons, who should not actually reside in that kingdom for the space of six months in each year from Christmas 1773 to Christmas 1775. This measure though so equitable in itself, so desirable for the country, which was drained of its own produce to be spent in another country, could not so decently be pressed by the representatives of the English government, as left to the free disposal of the Irish parliament, whose interest it more immediately concerned. It was not therefore made a government question, all their connexions were under-

" An amendment was proposed to be made to the question by inserting between the word " declare," and the word, " that," the following words; " Notwithstanding the reduction of expences lately made by government, and though the report is not yet made from the committee of accounts."

" And the question being put, that the words proposed stand part of the question:

" It was carried in the affirmative, *Nem. Con.*

" A further amendment was proposed to be made to the question, by inserting between the words, " accounts," and the word " that," the following words; " and notwithstanding we have the utmost confidence in the present chief governor."

" And the question being put, that the words proposed stand part of the question:

" It was carried in the affirmative, *Nem. Con.*

" And the question so amended, is as follows:

" Resolved, That it is necessary and parliamentary, at this time, to declare, notwithstanding the reduction of expence lately made by government, and though the report is not yet made from the committee of accounts, and notwithstanding we have the utmost confidence in the present chief governor, that the present expences of government ought to be greatly retrenched.

" And the main question put:

" The house divided, when the ayes were 88 and the noes 112. It passed therefore in the negative."

stood

stood to be left at perfect liberty, and most of the servants of the crown voted against the question. Considering the powerful interest, that was made against the tax by the most considerable land owners on this and the other side of the water, the small majority, by which it was rejected, is rather to be wondered at, there being 102 for and 122 against the measure.*

One

* The following letters to and from Lord North will fully and fairly display the grounds of the failure of this desirable measure for Ireland.

“ MY LORD,

It is publicly reported, that a project has been communicated to the king's ministers, for proposing in the parliament of Ireland, a tax of regulation, which is particularly and exclusively to affect the property of those of his majesty's subjects, who possess lands in that kingdom, but whose ordinary residence is in this. It is in the same manner publicly understood, that this extraordinary design has been encouraged by an assurance from administration, that if the heads of a bill proposing such a tax, should be transmitted from Ireland, they would be returned with the sanction of his majesty's privy council here, under the great seal of England. My lord, we find ourselves under the description of those, who are to be the object of this unprecedented imposition. We possess considerable landed property in both kingdoms; our ordinary residence is in England. We have not hitherto considered such residence as an act of delinquency to be punished; or, as a political evil, to be corrected by the penal operation of a partial tax. We have had, many of us, our birth, and our earliest habits in this kingdom; some of us have an indispensable public duty, and all of us (where such duty does not require such restriction) have the right of free subjects, of choosing our habitation in whatever part of his majesty's dominions we shall esteem most convenient. We cannot hear, without astonishment, of a scheme, by which we are to be stigmatized, by what is in effect, a fine for our abode in this country, the principal member of our British empire, and the residence of our common sovereign. We have ever shewn the utmost readiness in contributing with the rest of our fellow-subjects, in any legal and equal method, to the exigencies of the public service, and to the support of his majesty's government. We have ever borne a cordial, though not an exclusive regard, to the true interest of Ireland, and to all its rights and liberties: to none of which we think our residence in Great Britain to be in the least prejudicial, but rather the means, in very many cases, of affording them a timely and effectual support. We cannot avoid considering this scheme as in the highest degree injurious to the welfare of that kingdom as well as of this; its manifest tendency is to lessen the value of all landed property there, to put restrictions upon it unknown in any part of the British dominions; and as far as we can find, without parallel in any civilized country. It leads directly to a separation of these kingdoms in interest and affection, contrary to the standing policy of our ancestors, which has been, at every period, particularly at the glorious revolution, inseparably to connect them by every tie both of affection and interest. We apply to your lordship in particular. This is intended as a mode of public supply; and as we conceive the treasury of Ireland, as well as that of England, is in a great measure within your lordship's department,

One of the next schemes of finance was to raise the sum of 265,000*l.* by tontine annuities with benefit of survivorship at six pounds per cent. and the second reading of the bill for this purpose produced a division of a majority of 103 against 49.* The plan of the tontine was this. The sum of 650,000*l.* was divided into shares of 100*l.* each, and for every share one life was allowed to be nominated; the lives were divided into three classes. No dividend of the interest arising from the shares of those, who died in each class was to be

“ment, we flatter ourselves we shall not be refused authentic information concerning a matter in
 “which we are so nearly concerned; that if the scheme, which we state to your lordship doth exist,
 “we may be enabled to pursue every legal method of opposition to a project in every light unjust
 “and impolitic. We have the honor to be,

“Your lordship's most obedient and most humble servants,

“Devonshire, Rockingham,

“Bosborough, Milton,

“Upper Ossory.”

London, October the 16th, 1773.

Answer from Lord North to the Duke of Devonshire:

“MY LORD,

“Your grace, and the Lords Rockingham, Bosborough, Milton and Upper
 “Ossory, having in your letter of the 16th desired authentic information concerning a project of
 “proposing to the parliament of Ireland, a tax upon the landed property of such persons, whose
 “ordinary residence is out of that kingdom, I will endeavour to state in a few words, what has
 “passed upon the subject. In the course of the summer, the lord lieutenant of Ireland sent over
 “several propositions for restoring the credit, providing for the debts, and putting upon a proper
 “footing the finances of that kingdom; at the same time he informed his majesty's servants here,
 “that he had reason to believe, that among other modes of supply, there would probably be a tax
 “of the nature mentioned in your grace's letter. The answer, which was returned to his excellency,
 “by those of his majesty's servants, to whom this communication was made, was to the following
 “effect: that if the Irish parliament should send over to England such a plan, as should appear to
 “be well calculated to give effectual relief to Ireland, in its present distress, their opinion would be,
 “that it ought to be carried into execution, although the tax upon absentees should be a part of it.
 “I beg leave to trouble your grace to communicate this information to the other lords, and have the
 “honor to be, with great respect, &c. &c. &c. North.”

On account of this answer, circular letters were written by Lord Rockingham, to the several gentlemen who might be affected by this measure, proposing a general meeting for the purpose of adopting the most eligible and effectual means of defeating it. But as it was rejected by the parliament, any further opposition became unnecessary. A melancholy instance of the prevalence of self-interest over that of the country in some of the most plausible patriots.

* Journ. Com. vol. 9. p. 109.

made;

made; until it yielded a clear one half per cent. among the survivors; and the increased interest never was to be more, than the principal originally advanced by each subscriber. The remainder of the interest as it occurred, to be applied to the credit of the nation. This scheme was holden forth by the secretary of the day, as a master-piece in finance, as being little less than an actual gain of so much, without adding in the least to the debt, as the principal was never to be refunded. The revenue being this year considerably short of the expences of government, stamp duties were granted upon all parchment, vellum or paper, on which any legal proceeding or private instrument, of almost any nature, should be written or engrossed, according to the nature of the article stamped; the duties were at first granted for one year and nine months from the 25th of March, 1774; at the expiration of which period they were continued, and have been to this day, from time to time, raised very considerably. The stamp duties have been found by experience one of the most efficient resources of the financier. It was confidently promised, that these duties would so far increase the revenue, as to be equal to the expences, when they had undergone the economical reduction thus intended, so that the pernicious practice of running in debt would be no longer pursued. The public accounts of the next session, however, clearly displayed the fallacy of those promises. As to the national debt, it amounted at Lady-Day, 1773, to 994,890*l.* 10*s.* 10*d.* and the total of pensions to 172,464*l.* 14*s.* 3*d.* for the two years then ending. A bill for the improvement of the agriculture of that kingdom having passed, and being duly returned, the commons voted an address of thanks thereupon to his majesty, considering it as a signal instance of his paternal regard for his people of Ireland.

To the further credit of Lord Harcourt's administration must be laid the meritorious account of opening the door of that civil liberty, through which the great body of Irish Catholics were afterwards admitted to the rights of subjects. True it is, that the British ministry began about this time to be alarmed at the too well grounded discontents of the king's American subjects: the constitutional maxim, *no representation, no taxation*, was fully considered and carried into action on the other side of the Atlantic; the fatal and ill-advised resistance ended in the avulsion of that bright western gem from the imperial diadem. It was impossible, that a man of Lord North's penetration should not foresee the inversion of many constitutional maxims, when brought practically to bear upon the bulk of the Irish nation: he wisely

therefore, though silently, instructed the lord lieutenant to endeavour by all means to soothe and engage the affections of the Catholics by gradual relaxations of the rigorous code of penalties, pains, and disabilities, under which they had so long and so patiently suffered. As early therefore in the session as the 10th of November, 1773, *leave was given to bring in the heads of a bill to secure the repayment of money, that should be really lent and advanced by Papists or persons professing the Popish religion to Protestants on mortgages of lands, tenements, and hereditaments; and that it might be understood to be a government measure of grace, Mr. Mason, Sir Lucius O'Bryen, and Mr. Langrishe, great and determined supporters of government, were ordered to bring it in. †On the preceding day leave had been given to bring in heads of a bill to enable Papists upon the terms and subject to the provisos therein mentioned to take leases of lives, of lands, tenements, and hereditaments. But neither one or the other of these bills at that time proceeded. The Irish antipathies to Popery, ‡and the reluctance of most men in place or power in Ireland to do justice to the Catholics deterred the easy mind of Lord Harcourt from pushing forward, what they persuaded him would create difficulties and disturbances in parliament, and interrupt that easy and quiet majority which government then enjoyed, and which he had it strongly in command to keep up by all possible and prudent means. Although the managers of the *English interest* in Ireland (this lord lieutenant was but their passive tool) had blasted these two scyons of indulgence in their first shoot, yet the British ministry sent over positive and uncontrollable orders, that some act of the legislature should positively be passed in that session of a soothing and conciliatory tendency to the Catholics: well imagining, that the breadth of the Atlantic would not prevent the infection

* 9 Com. Journ. p. 28.

† 9 Com. Journ. p. 27.

‡ Thus Mr. Burke expressed himself upon this subject in a letter to a peer of Ireland in 1785, (p. 28): "From what I have observed, it is pride, arrogance, a spirit of domination, and not a bigotted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those, who have oppressed Papists in their civil rights, exceedingly indulgent to them in their religious ceremonies; and who wished them to continue in order to furnish pretences for oppression; and who never saw a man by conforming escape out of their power, but with grudging and regret. I have known men, to whom I am not uncharitable in saying, though they are dead, that they would become Papists in order to oppress Protestants; if being Protestants it was not in their power to oppress Papists. It is injustice, and not a mistaken conscience, that has been the principle of persecution, at least as far as it has fallen under my observation."

of political discontent in persons equally suffering a deprivation of that nutriment and support, which their constitution required for the preservation of their existence. On the 5th, therefore, of March, 1774, leave was given to bring in a bill to enable his majesty's subjects of whatever persuasion to testify their allegiance to him;* and as the bill remitted no part of the then existing code of severity, but purported merely a permission to the Catholics of expressing their allegiance to their sovereign, which before they had not, it passed both houses without obstruction or opposition.† It gratified the Catholics, inasmuch, as it was a formal recognition, that they were subjects; and to this recognition they looked up as to the corner stone of their future emancipation. To this act and the well known and long tried allegiance of the Catholics, the lord lieutenant in his speech to the parliament at the close of the session thus alluded: ‡“ This reciprocal intercourse of duty and protection, which has for so many years happily prevailed, and from which so many salutary consequences have been derived during his majesty's auspicious reign, holds out to every part of his majesty's empire, an example reflecting the highest honor upon the virtues of a most amiable and excellent sovereign, and the wisdom and good conduct of affectionate and loyal subjects. In the high station, in which his majesty has placed me, I claim no merit, but a faithful execution of his majesty's gracious purposes for the happiness of his people of Ireland, and the most just, and therefore the most favourable representations of their loyal, dutiful, and affectionate conduct, which cannot fail to entitle them to the continuance of his royal favor and protection.”

At the commencement of the next session in October, 1775, the lord lieutenant observed, that, since the last meeting of parliament, his majesty's tender concern for the welfare of that kingdom had induced him to pass several laws in the British parliament highly beneficial to the commerce, manufactures, and agriculture of Ireland. “ By the act, which extends the great advantage of British fisheries to Ireland, a source of industry and wealth (said he) is opened to you, which has made other nations great and flourishing. That

* 9 Com. Journ. p. 114. Mr. Robert French, and Sir Lucius O'Bryen, two ministerial members, were ordered to bring it in.

† 9 Journ. Com. p. 160. 13 and 14 Geo. III. c. xxxv. For the form of this oath or test, vide Appendix, No. LXIII.

‡ 9 Journ. Com. p. 160.

“ act, which allows the cloathing and accoutrements necessary for his ma-
 “ jesty’s forces paid from the revenues of this kingdom to be exported from
 “ Ireland, is a particular mark of the royal favor; and even that, which al-
 “ lows the importation of rape seed into Great Britain from this kingdom,
 “ under certain regulations, connected with those salutary laws passed in our
 “ last session, form such a system of agriculture and improvement as will, I
 “ trust, secure riches and plenty to the people of Ireland. A bounty granted
 “ by Great Britain, upon the importation of flax, is so marked a recom-
 “ mendation of the linen manufacture, that it becomes needless for me to
 “ urge the most persevering application to that staple of the country.”

The allusion, which the lord lieutenant made to the proceedings of the British parliament, during the recess of the parliament of Ireland, calls upon us to submit to our readers, what passed on this side of the water during that interval. The opinions of the British legislators upon Irish incidents are strong illustrations of Irish history. On the 16th of December, 1774, upon Mr. R. Fuller’s calling for papers relative to our military forces in America, a desultory, though interesting conversation took place, in which the late Governor Johnstone took occasion to make several pointed applications to Ireland: they originated out of the confident and unequivocal declarations made in the course of the last session by Mr. Rigby (master of the rolls in Ireland), that *the parliament of Great Britain had a right to tax Ireland in all cases whatsoever as well as America.** Mr. Fox observed, that it was cer-
 tainly

* 1 Parl. Deb. p. 19. “ The kingdom of Ireland (said Governor Johnstone), within our own
 “ dominion, is a proof of what these learned gentlemen assert to be impossible. A worthy member,
 “ in my eye, being pressed with this argument in the last session of parliament, from the fairness
 “ of his mind, avowed, as his opinion, that we could tax Ireland. I remember there were some
 “ gentlemen in the gallery when this declaration was made, whom I immediately perceived by the
 “ contortions in their countenance to be Irish members. Next day the worthy member chose
 “ to make some apology to his friends. He said, no parallel could be drawn between Ireland and
 “ the colonies; for Ireland had a paraphernalia; and this satisfied both the English and Irish mem-
 “ bers. For my part, I do not see what difficulty can occur, in leaving the different colonies on
 “ the same footing of raising money by requisition, as from the people of Ireland. Lord Clare
 “ (Nugent) jocularly complimented Mr. Rigby on the exceeding popularity, reverence, and esteem,
 “ that gentlemen was held in by the whole Irish nation; that there was no man in England or
 “ Ireland more loved or revered. Mr. Rigby said, he acted in that country as secretary to the lord
 “ lieutenant; which, on many accounts was rather an invidious and critical situation; that the
 “ sentiments now alluded to, he maintained upon general principles; that his opinion was not sin-
 gular,

tainly proper to include Ireland in all the debates upon American taxation, in order to ascertain the parliamentary right of taxation over every part of the British empire.

As Great Britain never hitherto had been known to overflow with liberality and kindness to her sister kingdom, it becomes proper to trace the true and genuine sources, out of which this new disposition to favor Ireland arose. The differences between America and her mother country had now broken into open war. Most of the leading members of the opposition in both countries (who afterwards composed that administration, which put an end to the American war) opposed the war upon principle: they inveighed against the unconstitutional exactions of the ministry, and in their debates went very little short of formally justifying the American rebellion. The analogy between America and Ireland was too close to pass unnoticed; and the defection of the American colonies produced strong effects upon Ireland. The exportation of Irish linen for America had been very considerable; but now this great source of national wealth was totally shut up, by an extraordinary stretch of prerogative. Under the pretext of preventing the Americans from being supplied with provisions from this country, an embargo was laid on the exportation of provisions from Ireland, which in prejudicing that kingdom, served only to favor the adventures of British contractors. This embargo, combined with other causes, which were invariable and permanent, produced the most melancholy effects. Wool and black cattle fell considerably in value, as did also land; and rents in many places could scarcely be collected; so much was public credit essentially injured. It has already been observed, that the parliament of Ireland had declared the general sense of the kingdom respecting its distressed situation, and the illiberal restrictions thrown on its commerce: it had even de-

gular, for he was supported in it by a statute passed in the reign of George the First: that he begged to be understood, according to the obvious construction of that statute; and that, according to that sense of it, he still continued to be of opinion, that the legislature of Great Britain had a right to make laws to bind Ireland, and all the other members and dependencies of the British empire. Sir William Mayne drew a melancholy picture of the sufferings of the Irish; said that all promises had been shamefully broken with them; that pensions to the amount of 10,000*l.* per annum had been lately granted on that miserable, ruined, and undone country; and that the castle was an asylum to every needy, servile, cringing apostate, that would bow the knee, and barter every thing which should be dear to him, for emolument and court favor.

fended

fended its constitutional privileges; and though the voice of the nation were only thus conveyed through the speech of the speaker of the House of Commons, the public mind was not unknown in Great Britain. As the American fisheries were now abolished, it became necessary to think of some measures for supplying their place, and particularly to guard against the ruinous consequences of the foreign markets either changing the course of consumption, or falling into the hands of strangers, and those perhaps inimical to Great Britain. The state of public affairs in Ireland it now seemed necessary to take some notice of, and to pay some greater considerations to her interests, than had been hitherto practised. The question between England and her colonies, particularly in the manner it had been argued, was not calculated to quiet the kingdom of Ireland: and the repose of such parts of the empire as were still at rest was never more necessary. In the crisis, to which matters were now evidently tending, little doubt remained, that every assistance would be requisite from Ireland; besides, her patience, her sufferings, and her forbearance, might be holden up as a mirror, in contrast to America: and though these merits had long passed unregarded, this did not seem a fit season to encourage an opinion, that a similar conduct would never obtain any reward. The nature of the benefit, however, was to be considered, and nothing could seem better adopted, than a donation, which would be an advantage instead of a loss to the giver. It was not itself very considerable, but it might be considered as a beginning; and small benefits carry weight with those, who have not been habituated to great favors. It had been shewn to the British parliament, that the exports from England to Ireland amounted then to 2,400,000*l.* annually; besides the latter supported a large standing army, at all times ready for the defence of the former; and immense sums of her ready cash were spent there by her numerous absentees, pensioners and placemen; yet by oppressive restrictions in trade, Ireland was cut off from the benefit of her great natural staple commodity, as well as excluded from the advantage, which she might derive from the peculiarity of her situation.

The British minister on the 11th of October, 1775, moved for a committee of the whole house, to consider of the encouragement proper to be given to the fisheries of Great Britain and Ireland. This attention to Ireland was generally approved of, and after some conversation on the hardships that country suffered, it was proposed by Mr. Burke to extend the motion, by
adding

adding the words "trade and commerce;" and thereby afford an opportunity to grant such relief and indulgence in those exports, as might be done without prejudice to Great Britain. The minister objected to this; however, the committee in its progress granted several bounties to the ships of Great Britain and Ireland, for their encouragement in prosecuting the Newfoundland fishery; and it was farther resolved in favor of Ireland, that it should be lawful to export from thence, cloaths and accoutrements for such regiments on the Irish establishment, as were employed abroad: and also, that a bounty of five shillings per barrel should be allowed on all flax seeds imported into Ireland. This last resolution was passed, to prevent the evils, that were apprehended there, from the cutting off their great American source of supply in that article. Another resolution was also passed, by which Ireland was allowed to export provisions, hooks, lines, nets and tools for the implements of the fishery. The committee also agreed to the granting of bounties for encouraging the whale fishery, in those seas, that were to the southward of Greenland and Davis's Straights fisheries: and upon the same principle took off the duties, that were payable upon the importation of oil, blubber, and bone from Newfoundland, &c. They also took off the duty, that was payable upon the importation of seal skins.*

As soon as prudence would admit, after the lord lieutenant had called

* 1 Parl. Deb. p. 436. Mr. Burke thanked his lordship (North) for the friendly disposition he had now shewn towards his (Mr. Burke's) native country; observing at the same time that however desirous he might be to promote any scheme for the advantage of Ireland, he would be much better pleased, that the benefits thus held out should never be realised, than that Ireland should profit at the expence of a country, which was, if possible, more oppressed than herself. Mr. Thomas Townshend condemned, in the most pointed terms, the narrow, weak, and ill-founded policy, which had directed the English councils in respect to Ireland, ever since that country had become a part of the British dominions; and recommended very warmly an enquiry into the state of Irish commerce and manufactures, in order that such of them as did not immediately interfere with those of Great Britain, might receive every possible encouragement consistent with the general interests of the whole empire. Mr. Conolly drew a very melancholy picture of the present state of Ireland, and recapitulated many instances of the eminent loyalty of that country, and of the repeated proofs she had given, for a series of years back, of her readiness to contribute much beyond her ability, to the common support. Besides the merits she had to plead on these grounds, he pointed out the absurdity of several of the restraints laid upon the Irish commerce; and endeavoured to shew that some of those were as unkind as impolitic; and that there were some branches of trade, particularly that to the Levant, which might be laid open, much to the advantage of both countries, and to the complete rivalship of the French.

upon

upon the gratitude of the Irish parliament for the favors granted by the English legislature, his excellency sent through his secretary, Sir John Blaquire, a message to the House of Commons to the following effect:

(" HARCOURT.)

" I HAVE his majesty's commands to acquaint you, that
 " the situation of affairs in part of his American dominions is such as makes
 " it necessary, for the honor and safety of the British empire, and for the sup-
 " port of his majesty's just rights, to desire the concurrence of his faithful
 " parliament of Ireland, in sending out of this kingdom a force not exceed-
 " ing 4000 men, part of the number of troops upon this establishment, ap-
 " pointed to remain in this kingdom for its defence; and to declare to you
 " his majesty's most gracious intention, that such part of his army as shall be
 " spared out of this kingdom, to answer the present exigency of affairs, is
 " not to be continued a charge upon this establishment, so long as they shall
 " remain out of this kingdom. I am further commanded to inform you,
 " that as his majesty hath nothing more at heart, than the security and pro-
 " tection of his people of Ireland, it is his intention, if it shall be the desire
 " of parliament, to replace such forces as may be sent out of this kingdom,
 " by an equal number of foreign Protestant troops, as soon as his majesty
 " shall be enabled so to do; the charge of such troops to be defrayed without
 " any expence to this kingdom."

The message having been referred to a committee, they resolved, that this force of 4000 men might at that juncture be spared, provided they were no longer a charge upon the establishment, than they remained in that kingdom. Upon which resolution being reported to the house, the patriots determined not to let an opportunity go by, without manifesting to their constituents their persevering attention to the rights and welfare of the nation. They saw through this first opening the gross inattention of the British cabinet to the internal defence and welfare of Ireland.

An amendment was accordingly proposed to be made to the resolution, by inserting after the word "Resolved," the following words, viz. "That hav-
 " ing in consequence of his majesty's gracious recommendation, and of our
 " mature consideration of the state of this country, repeatedly declared our
 " opinion, that 12,000 men are necessary for the defence of this kingdom;
 " being sensible, that it would be a violation of the trust reposed in us,
 " should we have subjected our constituents to a very heavy expence, in
 " times

“ times of perfect tranquility, for the purpose of providing a force, which
 “ we are to part with in times of danger, and being convinced that since
 “ the time, at which we first declared 12,000 men to be necessary, the
 “ probability of a war has increased and not diminished; it is now the
 “ opinion of this house that”—

This proposed amendment was negatived upon a division of 103 against 58. Yet much to the surprize and embarrassment of government, the second proposition of introducing foreign troops into that kingdom was negatived by nearly as large a majority as the first was carried; namely, by 106 against 68. The house accordingly voted an address to his excellency, expressive of their sense and resolution upon this subject.* This conduct of the Irish commons is of singular importance in the history of Ireland, inasmuch as it was the first patriotic step taken by the representatives of the people towards attaining

* 9 Com. Journ. p. 223.

To his Excellency, Simon, Earl Harcourt, Lord Lieutenant General and General Governor of Ireland. The humble address of the Knights, Citizens, and Burgeſſes in parliament assembled.

“ MAY IT PLEASE YOUR EXCELLENCY,

“ We his majesty's most dutiful and loyal subjects, the commons of Ireland, in parliament assembled, deeply impressed with a sense of the many blessings we enjoy under his majesty's government, humbly request, that your excellency will be pleased to assure his majesty of our zeal at all times for the support of his just rights, and for the honor and safety of the British empire. That your excellency will be pleased to express the ready and cheerful concurrence of his majesty's faithful commons in sending out of this kingdom a force not exceeding 4000 men, part of the troops upon this establishment appointed to remain in this kingdom for its defence. That your excellency will be pleased to assure his majesty, that we acknowledge his paternal regard to the ease and relief of this country, manifested in his majesty's most gracious intention, that such part of his army as may be sent out of this kingdom during the present exigency, shall not be continued a charge upon this establishment, so long as they shall remain out of this kingdom. That your excellency will be pleased to return his majesty our most grateful thanks for his gracious declaration, that his majesty hath nothing more at heart than the security and protection of his people of Ireland, of which his majesty has given a signal proof, by his offer, if it shall be the desire of parliament, to replace such forces as may be sent out of this kingdom, by an equal number of Protestant troops, the charge thereof to be defrayed without any expence to this kingdom. And we entreat your excellency, that you will be pleased to assure his majesty, that, fully sensible of his majesty's benevolent attention to his faithful commons, after mature deliberation, they have agreed not to desire that the 4000 troops, which may be sent out of this kingdom in the present exigency, should be replaced, as mentioned in your excellency's message; confiding in the vigilance and care of government, and trusting, that with its assistance, his majesty's loyal people of Ireland may be able so to exert themselves, as to make such aid at this juncture unnecessary.”

that state of civil liberty, which was obtained by the nation in what Mr. Burke called their revolution of 1782. Once the spirit of patriotism had regained an influence upon the ministerial ranks, many of them rather sought than shunned opportunities to unfetter their shackles, and some of them probably created occasions of opening, with a view to improve the terms of their bargains. A more favourable opportunity could not have presented itself to resist the mandates of the British cabinet, than a renewed attack upon their favourite privilege of originating money bills in the commons. The heads of a bill for granting additional duties on beer, ale, &c. being transmitted, were returned with certain alterations, for which reason, the bill was rejected, and a new one framed. The like circumstances also attended the bill for granting stamp duties. As there was by these means for some short time no law there for collecting the additional duties on tobacco and other goods imported into that kingdom, great exertions were made by the importers to procure supplies of such articles, before a new bill could receive the royal assent. An opportunity, which proved of some advantage to several individuals, and no inconsiderable detriment to the finance.

The patriotic party having on some great national questions been supported by several of the opposite side of the house, resolved, ere the session closed, to afford another opportunity of calling forth their exertions upon the general and melancholy state of the nation.* A motion was accordingly made two days before the end of the session for an address to his majesty, "to express their inviolable attachment to his royal person and government, humbly to assure his majesty, that they felt a conscious happiness in the ample and liberal discharge of duty to a sovereign so ready to express his gracious approbation of the loyal endeavours of his people. To return their unfeigned thanks for his majesty's paternal solicitude at the burdens sustained by his people; a solicitude repeatedly communicated to them from the throne by his majesty's representatives, and suggesting to them an attention to the diminution of their expence, and the discharge of their national debt: that they met the wishes of his majesty, and would not, by an inexcusable silence, conceal from his majesty the real distresses of his people of Ireland. That at the close of the last war, the debt of that nation did not exceed 521,161*l.* 16*s.* 6*d.* which was then deemed so considerable, that his majesty's

* 9 Journ. Com. p. 280. What the division was on this occasion the Journals do not disclose.

paternal care thought itself called upon to direct the attention of his faithful commons to the discharge of their national debt, and to signify his gracious wishes for a very considerable diminution of their national expence. That after a peace of ten years, the debt of the nation appeared to be so increased, that it was voted by his faithful commons in the last session of parliament, to be a sum not exceeding 994,890*l.* 10*s.* 10½*d.* a circumstance so alarming and insupportable to his people, that they determined with one voice to put an end to the pernicious practice of accumulating debts, and they thought it their duty to accomplish that necessary end by first endeavouring to raise the revenue of the kingdom to an equality with the establishment. That they adopted every proposition of his majesty's ministers, and accepted their promises of œconomy with unbounded confidence, vainly expecting, that it would be ever after unnecessary to afflict their gracious sovereign, by enumerating either the complaints or the distresses of his people. That as they wished to second the promised œconomy of his majesty's ministers by every effort on their part, they had considerably diminished the sum usually granted by this house for the purposes of national improvement. That in order, that there might be no remnant of any arrear upon any of his majesty's establishments, they had departed from the usual custom of discharging the arrears to the 25th of March only, and had raised the sum of 265,000*l.* to pay them up to the 29th of September, 1773 ; and to prevent the necessity of any arrear for the future, they had consented to a stamp duty, and several other taxes, which their predecessors, in the times of the most expensive wars, had never thought proper to impose. That the calculations of his majesty's ministers were admitted, their promises were relied upon, the taxes they proposed were voted, and their projects were uninterrupted by any opposition from his faithful commons. But that they were then reduced to the melancholy necessity of informing their gracious sovereign, that those unquestionable proofs of their zeal had been equally proofs of their inability. That the new taxes had fallen short of the estimates made by his majesty's ministers, and unequal, as they were to the effects, which were hoped for, they had served only to shew, that they had arrived at that point of taxation, where the imposition of new lowered the old duties. That the debts and incumbrances of his faithful subjects had increased with such alarming rapidity, that they had in that session been reduced to the unfortunate necessity of raising 175,000*l.* to defray the arrears incurred in one year and six months only. That the perseverance of his faithful commons was not yet exhausted, and they had again endeavoured

voured in that present session, to support his majesty's establishments, by new burdens upon themselves. But that the experience of his majesty's ministers, assisted by the best efforts of his faithful commons, had been able to devise one new tax only, a tax upon spirits; a tax the last, which they proposed for his majesty's service, because it was of the most doubtful nature; a tax, which proved their despondency as well as their zeal, and concerning which they knew nothing certainly, except that it could not produce enough. That they saw before them the necessity of borrowing, session after session continued. They saw the funds, on which they used to borrow nearly exhausted. They saw the new duties, which they raised with the hopes of providing a sufficient revenue within the year, mortgaged in part for the payment of incumbrances; and that they saw his majesty's ministers relapsing into their former despondency of supplying the exigencies of the state, in any other manner, after every effort, made on their part, and seconded by them, and with a dreadful increase of debt incurred during the experiment. That if an indulgence to his majesty's ministers could induce them to suppress these truths, they should be guilty of a criminal deceit towards the best of sovereigns. That could they neglect the most essential interests of themselves, their constituents, and their posterity, still their duty to his majesty would prevent them from suffering the resources of his majesty's power and dignity to dwindle and decay; and that they were the more necessitated to make that earnest application, because the evils they suffered were not temporary or occasional; because they could not attribute them to any physical evil, or proud national exertion, but to a silent, wasting, and invisible cause, which had injured the people, without adding strength to the crown. That they therefore performed that indispensable duty of laying their distresses at the foot of the throne, that history might not report them a nation, which in the midst of peace, and under a gracious king, equally ready to warn and relieve, proceeded deliberately to their own ruin, without one appeal to the wisdom, which would have redressed them. And that they did appeal from the temporary expedients of his majesty's ministers, to his own wisdom and virtues, and to that permanent interest, which his majesty had, and ever would have, in the welfare of his people. And if supplication could add force to the pleadings of their common interest, and of their persevering loyalty, they supplicated that his majesty would graciously turn his royal attention to the reduction of their establishments, which they were unable to support, and which they would support if they could. That they did not presume to point out more particularly

larly what his royal wisdom would more properly and effectually distinguish. That after all their efforts, and all their disappointments, they had one sure resource in his majesty's royal justice and wisdom, and they did rest assured, that their gracious sovereign would not suffer the strength of his crown to be impaired, or the glories of his reign to be sullied by the unaccountable and entire ruin of a loyal people."

In order to get rid of this motion, the ministerial party put and carried the question, that the motion should be adjourned to that day se'nnight; and upon its being thus negatived, another motion was made, and also carried, that an humble address of thanks be presented to his excellency the lord lieutenant, for his prudent, just, and wise administration. The majority of the votes for adjourning the consideration of this motion took off none of the fatal truth and resemblance of the portrait, which it exhibited of the nation at that melancholy juncture. An address* was framed in the committee, and upon the second reading of the fourth paragraph thereof an amendment was proposed to be made by adding thereto the following words.

" At the same time, that we pay your excellency every personal respect,
" and make you the same acknowledgments, which we have not refused to

* 9 Journ. Com. p. 282.

" MAY IT PLEASE YOUR EXCELLENCY,

" We his majesty's most dutiful and loyal subjects, the commons of Ire-
" land, in parliament assembled, observe with pleasure the harmony, which subsists between our
" chief governor and the people, the natural result of mutual good wishes. The additional strength
" which our happy constitution, the envy of foreign nations, has lately received, fills our hearts
" with gratitude towards his majesty, and must ever reflect honor upon your excellency's adminis-
" tration. Freedom of election seems to be effectually secured by those salutary laws, at length ob-
" tained by your excellency's strenuous interposition, which place our constitutional rights upon
" a firmer basis than ever they stood before. When the liberties of the people are secured, industry
" prevails, and commerce survives. We acknowledge with gratitude, that in return for the libe-
" rality of the commons, new objects of trade, through your excellency's interposition, are pre-
" sented to us, and new sources of commerce are opened, of which we persuade ourselves, that we
" shall in time reap the good effects. We depend with the utmost confidence upon the continuance
" of the same benevolent disposition towards us, and that your excellency will take every opportu-
" nity of representing the advantages, which nature has bestowed upon this island, peculiar to it
" in situation, climate, and soil, which by proper attention and encouragement may prove a fund
" of wealth and strength to Great Britain, where the riches of this kingdom must ultimately center.
" We concur with the wishes of the people, that your excellency may continue our chief governor:
" Their affections are the surest testimony both of your private and your public virtues."

" any

“ any of your predecessors, we do not mean, that it should be understood,
 “ that the situation of this country is less deplorable now than it was upon
 “ your excellency's arrival; a period in which her situation was admitted to
 “ be desperate. On the contrary, we must lament, that every proposal, which
 “ the wishes or abilities of your administration suggested, supported by the
 “ most perfect conformity of parliament, in the course of four years has had
 “ no other effect, than to leave this country more exhausted than ever, more
 “ incumbered with taxes, more loaded with debt, and more oppressed with
 “ unnecessary establishments. That in the first session of your excellency's
 “ government, we were induced to grant new taxes in time of profound
 “ peace, under a persuasion, that the promised frugality of administration
 “ would justify the unusual bounty of parliament, and put an end to the
 “ pernicious practice of running in debt. That in the same session we set the
 “ example of œconomy to your excellency's administration, by abridging
 “ our own expences; and we provided for the payment of a great arrear,
 “ including a fifth half year, a liberality without precedent, but which we
 “ adopted to take away all pretence of presenting us with a future arrear. That
 “ the failure of those projects of finance proposed under your excellency's ad-
 “ ministration, as it was a testimony of the poverty of the kingdom, so it was
 “ an additional reason for administration to preserve inviolate the solemn en-
 “ gagements of œconomy. That we cannot but lament, notwithstanding
 “ the liberal confidence of parliament, the solemn professions of administra-
 “ tion, and the authenticated poverty of the kingdom, our sagacity cannot dis-
 “ cover any visible retrenchment. On the contrary, we have been in the
 “ course of this session surprised with a new arrear, not less in proportion than
 “ that incurred in the two last years of the administration of your predeces-
 “ sor. We behold the old burdensome establishments, which we know to be
 “ unnecessary, and feel to be insupportable, continued, and increased; and
 “ we see the old spirit of profusion, which has long wasted us in time of peace,
 “ opposing every project of retrenchment, whether conceived in the shape of
 “ parliamentary resolution, or humble address to the throne, with fatal suc-
 “ cess under your excellency's administration, which has been candid enough
 “ to acknowledge public distresses, but not fortunate enough to relieve them.
 “ When we state these facts, we do not mean to attribute them to your excel-
 “ lency's intentions, nor do we attribute to those intentions the alarming and
 “ military powers given to the lowest officers in the revenue; as little do we
 “ attribute

“ attribute to those intentions the flagrant violations of our constitution
“ in the course of the last four years. We are convinced the alteration of
“ four money bills, that breach of constitution, and insult on the dignity
“ and bounty of this nation; the questioning of the validity of the augmen-
“ tation compact by subtleties as dangerous as unintelligible; the involving
“ this country in a civil and unnatural war, the leaving her exposed to any
“ invasion by sending away her necessary and stipulated defence in prosecu-
“ tion of that civil war; the attack made on her law, and the interruption
“ of her trade in the course of that civil war; the refusal of a militia bill,
“ always eligible, now rendered necessary for our security, and so qualified
“ as not to alarm the arbitrary spirit of the times, were measures adopted
“ not in pursuance of your councils, but in total disregard of them; and
“ we are the more ready to acquit your excellency’s intentions of all those
“ measures, because if they did insult this country, they did not less insult
“ and violate the dignity of its chief governor. And when your excellency
“ shall return to the royal presence, and lay before our sovereign the un-
“ happy state of this kingdom, you will please to represent us as a nation un-
“ able to exist for ten years under such a system of management as has unfor-
“ tunately been pursued during your excellency’s administration; as a people
“ not insensible to an earnest of a favourable disposition shewn to us in some
“ late acts respecting our trade, considering that in process of time they may
“ become a national benefit; but you will please to inform his majesty, that
“ our condition is misunderstood, if it is thought that such acts do atone for
“ the total want of œconomy hitherto, or can support us under future pro-
“ fusion. We entertain no doubt your excellency will make such represen-
“ tation, conceiving the facts to be melancholy truths, and the representa-
“ tion of them incumbent upon you as an indispensable duty, because the
“ measures, which have perplexed our revenues, increased our debt, and in-
“ sulted our country, though we must suppose not agreeable to your senti-
“ ments, have all taken place under your administration.”

So much analogy existed between the cases of Ireland and America, that it became the fashion both in and out of parliament to put them on a parallel, and to argue indifferently from one and the other: the American war never was popular either in Great Britain or Ireland; but in the latter of those kingdoms, the people assumed the cause of America from sympathy; in the former they abetted it upon principle. Government was seriously alarmed at
the

the honorable light in which the American rebellion was generally viewed,* and found it incumbent upon them to discredit and debase the cause of America to the utmost. Lord Harcourt, in closing the session, assured the parliament, that it must give sincere pleasure to every friend of Ireland to reflect, that whilst a great part of his majesty's dominions in America was torn and convulsed by a most unnatural rebellion, that kingdom wisely and affectionately persevered in its duty, enjoyed the blessings of tranquillity and abundance, and cultivated the arts of peace, and the improvements of commerce, agriculture, and manufactures. This flattering picture of the coun-

* The American dispute, which so much engaged the attention of every part of the British empire, most naturally attracted the consideration of the citizens of Dublin. In 1775, the Earl of Effingham, finding that the regiment in which he served was destined to act against the colonies, thought it inconsistent with his character and unbecoming of his dignity to enforce measures with his sword, which he had condemned in his legislative capacity. He therefore wrote a letter to the secretary at war, resigning his command in the army, and stating his reasons for it. This conduct rendered that nobleman extremely popular, and the city of Dublin, at the Midsummer quarter assembly, voted public thanks to Lord Effingham, "for having consistently with the principles of a true Englishman refused to draw his sword against the lives and liberties of his fellow-subjects in America." Soon after an address of thanks, in fuller terms, was presented to him from the guild of merchants of Dublin: the latter also presented an address of thanks to the several peers, who (as they said) "in support of the constitution, and in opposition to a weak and wicked administration, protested against the American Restraining Bills." This address, with the several answers of the lords to whom it was presented, appeared at that time in the public papers, and produced a very strong sensation throughout the nation. The sheriffs and commons of Dublin had for some time endeavoured to obtain the concurrence of the then lord mayor and board of aldermen, in a petition to the throne, against the measures pursued with respect to the colonies, but were answered by the latter, upon their first application, that the matter was of the highest importance, and therefore expedient. Upon a subsequent occasion, however, a committee of six aldermen, with as many of the common council, was appointed to draw up a petition and address; which after several weeks preparation or delay, being at length accomplished, the petition was arrested in its further progress, by a negative from the lord mayor and aldermen. Upon this disappointment, the sheriffs and commons entered into resolutions, which they prefaced as follows: Anxious to preserve our reputations, from the odium, that must remain to all posterity on the names of those, who in any wise promote the acts now carrying on in America; and feeling the most poignant grief, as well on account of the injured inhabitants of that country, as on that of our own brave countrymen, sent on the unnatural errand of killing their fellow-subjects: "Resolved, That it is the duty of every good citizen to exert his utmost abilities to allay the unhappy disputes, that at present disturb the British empire." "Resolved, That whoever would refuse his consent to a dutiful petition to the king, tending to undeceive his majesty, and by which it could be hoped that the effusion of one drop of subject-blood might be prevented, is not a friend to the British constitution,"

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try, however admired by some, evidently bore no resemblance to the original. The fiscal resources, and financial state of a country's credit, ever weigh heavy in the scale of national prosperity. The expences of the two preceding years ending at Lady-Day, 1775, exceeded the revenue by 247,797*l.* 0*s.* 10½*d.* The national debt then amounted to 931,690*l.* 1*s.* 9½*d.* and the pensions for the same time to 158,685*l.* 4*s.* 8½*d.* Parliament had again recourse to the ill-judged plan of raising 175,000*l.* by another tontine, although they had already felt the inconveniency and disadvantage of that mode of borrowing. The greatest part of the subscriptions to the first tontine had been made out of the nation, so that not only the expence of agency was incurred for the payment of the annuities in London, but the amount of those annuities being remitted out of the kingdom became an additional drain to its specie, and consequently an increase of the evil arising from absentees.

The first octennial parliament had scarcely lived four years, when the British cabinet found it expedient, that it should be dissolved. This parliament had during the last session in two instances opposed their mandates, and when summoned to attend the House of Peers, the commons through their speaker made a just but ungracious and ineffectual representation of the state of the nation. These symptoms of independency alarmed government, and created a diffidence in the steadiness of those, who had enlisted under their banners. They looked to more steady submission in a future parliament, and dissolved the present. Mr. Pery was re-elected speaker by a majority of 141 to 98. The lord lieutenant did not meet the new parliament, which was convened in June, 1776, *pro forma*, and by several prorogations went over to the 14th of October, 1777.

It has been already mentioned, that in the session of 1775 a message from his majesty had been sent to the commons, requiring the use of 4000 men out of the army of Ireland for foreign service, and proposing to replace them by foreign Protestant troops, without any expence to that country. The first part of the proposal was complied with, but the acceptance of foreign troops refused. The engagement for the disposal of the public money, included in the foregoing message, without the consent or knowledge of the British House of Commons, rendered this subject a matter of discussion in that body. On the 15th of February, 1776, Mr. Thomas Townshend (afterwards Lord Sydney), there introduced it as a breach of the privileges of that house, and stated his complaint in the following words: "That the Earl of

“Harcourt, lord lieutenant general and general governor of Ireland, did, on the 23d of November last, in breach of the privileges, and in derogation of the honor and authority of that house, send a written message to the House of Commons of the parliament of Ireland, signed with his own hand, to the following effect;” having then recited the message, he moved that a committee be appointed to enquire into the matter of the said complaint, and to report the same, as it should appear to them, to the house. This gentleman supported his motion with great ability, and was equally well supported by his friends. They maintained, that the privileges of the house, though applied to themselves individually, or collectively in a more refined sense, were the indubitable right of all the commons of England, who had one general interest in them. That though each of these were an object of consideration, they all sunk to a very inferior degree of importance, when at all placed in opposition to, or compared with that inestimable privilege, the power of granting money, of holding the purse of their constituents, and of guarding it from the hands of violence, art, or fraud. This was a trust of the first magnitude, which, in fact, included every other; for while that was preserved inviolate, the crown would remain under the constitutional control of parliament; but whenever that was wrested by open force, defeated by indirect means, or done away by fraud, the liberties and privileges of the people would be for ever annihilated. They pointed out the wise, commendable, and well-founded jealousy shewn by the commons, when at any time, even the other house had interfered in the smallest degree with that great privilege; but that when any attempts of this sort were made by the crown, or its ministerial agents, they immediately caught the alarm; and however they were before divided, had, at all times, uniformly united, as if actuated by one soul, in resisting the smallest encroachment upon their power of granting or refusing their own money and that of their constituents. They said, that the message in question presented facts, and contained matters of the most suspicious and alarming nature. That if the conditions it held out had been accepted, the parliament of England would have been pledged to that of Ireland for the payment of 8000 men, only to have the use of 4000; so that Ireland was to be bribed into an acceptance of this insidious bargain, by retaining her usual establishment as to number, while she was to be eased of one third of the burthen. That such a proposition could only have originated from the worst designs, as the absurdity, they said, was too glaring to be charged

charged to any degree of folly. But that the nature of the bargain was a matter of little consequence, when put in competition with that double violation of the constitution, that daring temerity, of engaging for the payment of sums of money, and venturing to propose the introduction of foreign forces, without the consent of parliament. Some gentlemen went as far as to say, that no doubt could be entertained of the designs, from whence these propositions originated. One was an experiment on the Irish parliament, to try if it could be induced to consent to the reception of foreign troops, thereby to establish a precedent, which might be afterwards applied to other purposes. The other had also its fixed object: it was a scheme, they said, however deep, formed on very simple principles, and went directly to vest in the crown a virtual power of taxing, as opportunity might serve, both Great Britain and Ireland. In Ireland, the minister was to be taught to ask some favor; then England was to be pledged. In England again, when such circumstances occurred, as rendered the attempt impracticable, Ireland was to be taxed, to maintain the supremacy of the British legislature. In the mean time, it prepared the minds of the people, and habituated them to such notions, as would by degrees be the means of reducing the parliament of each to be the mere instrumental agents of the crown, without the least degree of will or independency whatever. Administration seemed in an odd situation upon this attack. The matter was serious; the offer of introducing foreign troops without the previous consent of parliament, indeed to introduce them at all as a permanent part of our establishment, could not be a matter of indifference to the constitution and safety of this kingdom. On this occasion, no small marks of the want of concert and system appeared in the grounds, upon which this measure was explained and defended in the debate. The minister disavowed those specific instructions, upon which it was supposed the message must have been founded; but acknowledged his general co-operation, in matters relative to the government of Ireland. Both he, and another lord, then lately come into administration, disclaimed all responsibility whatever, for the conduct of his majesty's servants in that kingdom. They said in general or separately, that the viceroy might have mistaken, or exceeded his instructions; that he might not have conveyed his meaning in the clearest terms; but that there was no relation between the British ministry and the king's servants in that country, which rendered the former in any degree accountable for these matters, and consequently they could not be affected

by any censure grounded upon them. Some of the gentlemen in opposition considered the business as of somewhat a less dangerous nature, from the schemes not being carried into execution. They held, that the spirit and magnanimity of Ireland, in rejecting the foreign troops, and in refusing to accept the offer for lessening her own burthen by throwing a part of it upon Great Britain, had already obviated the mischievous tendency of that measure; so that the only object of censure now remaining, was the evil intention from which it originated. They also held, that the whole weight of the censure would fall upon the lord lieutenant, who was merely ministerial in the business, while those who were really culpable would not only pass untouched, but very possibly, from some crooked motive of policy, might rejoice in the ill-placed effect. After very considerable debates, the question being put, near twelve at night, the motion for a committee was rejected upon a division, by a majority of 224 to 106. A motion was then made for laying the votes of the Irish commons, of some specified dates, and relative to this business, before the house, which passed in the negative without a division. This was succeeded by the following motion, "That it is highly derogatory to the honor, and a violent breach of the privileges of this house, and a dangerous infringement of the constitution, for any person whatever to presume to pledge his majesty's royal word to the house of the parliament of Ireland: that any part of the troops upon the establishment of that kingdom shall, upon being sent out of that kingdom, become a charge upon Great Britain, without the consent of this house, or for any person to presume to offer to the House of Commons of the parliament of Ireland, without the consent of this house, that such national troops, so sent out of Ireland, shall be replaced by foreign troops, at the expence of Great Britain." The motion for this resolution was lost, by putting the previous question, without a division.*

The British cabinet was little satisfied with the administration of Lord Harcourt: the easy and delicate turn of his mind ill qualified him to support, much less to improve upon the system of his predecessor: but by which alone, to the infamy and misfortune of Ireland, the legislators of that kingdom were to be kept steady in their ranks to the *fiat* of the castle. Although govern-

* The violence of party spirit will often render it difficult for the historian to extract the impartial spirit of a debate: to avoid therefore any imputation of partiality or bias, the candid reader is referred to the whole debate on this subject in the Appendix, No. LXIV.

ment upon the whole still retained a considerable majority, yet several of their adherents had occasionally, during the last session, proved recreant from their instructions; some had deserted their ranks, many amongst them wavered, menaced, and complained of the terms of their engagements. It was therefore resolved to invigorate the new system by the election of a new parliament. For this purpose an unusual, and till that time unprecedented, number of promotions in the peerage took place in one day*. Many other engines were in the mean time put in motion for the same purpose. Shortly before this general promotion took place, Mr. Sawbridge, then lord mayor of London, moved in the British House of Commons,† that his majesty's colonies in America be continued upon the same footing of giving and granting their money, as his majesty's subjects in Ireland were, by their own representatives: on which occasion, the Honorable Temple Luttrell,‡ observed, that such esteem had he for the right honorable magistrate's disposition and talents, that if he were to form a constitution for the colonies to satisfy his own mind, he would have their interests and happiness better provided for, than by giving them a constitution on the model of that of Ireland. A people so wretched, so oppressed were scarcely to be found in any civilized part of the globe.§ Too many and too crying were the proofs of the national calamity and

* It far exceeded the famous promotion of twelve in the days of Queen Ann. Five viscounts were advanced to Earldoms, seven barons to be viscounts, and eighteen new barons were created in the same day. The usual terms of such modern peerages are well understood to be an engagement to support the cause of their promoters by their individual votes in the House of Peers, and by those of their substitutes in the House of Commons, whose seats are usually settled and arranged before they vacate them upon their promotions.

† Viz. on the 10th of May, 1776.

‡ 3 Parliamentary Debates, p. 392.

§ Then with allusion to the intended creation of Baron Macdonald he observed: "nor could a more substantial injury, or a more humiliating insult be offered by a paramount nation to one of its dependencies, than what Ireland would experience at the hands of a British ministry within forty eight hours, if his information proved authentic. An English minister had abused the confidence of his royal master so far, as to prevail with him, in his character of king of Ireland, to create hereditary legislators for that island from the clans of the mountains of Scotland. Men, who in their private characters, he believed to be not only irreproachable but amiable and praiseworthy, of authority and high descent amidst their own thaneships, yet whose public pretensions in the year 1715 and 1745 (for he never heard of any other) now construed loyalty, were still in the eye of our constitution, acts of infamy and rebellion. He should be told, perhaps, that this power was a part of the rightful prerogative of the crown; an idea, to which he could never subscribe,

and distress of the Irish, to place this saying of Mr. Temple Luttrell to the account of declamation or the heat of party.

The English ministers became daily more embarrassed and perplexed by the encreasing difficulties of carrying on the American war, which hourly became more unpopular at home, and less successful abroad. The analogy of the cases of America and Ireland necessarily drew their attention to this latter country, and forced them to smooth the way for a new viceroy, implicitly devoted to their whole system. Lord Buckinghamshire went over the sworn servant of the British cabinet; and lest there should be a knot in the thread of subserviency, he took over his attorney, Mr. Heron, for his secretary. The critical, alarming, and embarrassed situation of Ireland at that juncture certainly called for a larger share of political knowledge, experience, and address, than either that lord lieutenant or his secretary carried over. And we must not dissemble, that a modest consciousness of his own inadequacy to fill the arduous situation appeared in his speech to the new parliament in October, 1777.* “His majesty,” said he, “has been graciously pleased to honor me with a most distinguished mark of his confidence in appointing me to the government of Ireland; with ease he might have found an abler minister, with difficulty one more anxiously solicitous to justify his choice in meriting your approbation. Influenced by that benovolent spirit, which

“scribe, while he remembered the wise and sterling definition of prerogative given us by Mr. Locke, who says, “’tis a discretionary power of acting for the public good, where the positive laws are silent; if that discretionary power be abused to the public detriment, such prerogative is exerted in an unconstitutional manner.” Was this acting for the public good? To bestow those privileges and pre-eminencies, which are attached to a peerage of a kingdom, on persons whose names and families are utterly unknown to the natives of such kingdom, and without any ties of property, of local services or affection? Barons whose blood has been tainted by an open violation of the laws of their own country, are, in preference to the best gentlemen of Ireland, sent over to possess the most honorable seats in the senate, to enact public statutes, and judge upon personal inheritances in the dernier resort.” Mr. Rigby, who had advised the right honorable magistrate to define the constitution of Ireland, before he proposed it to be adopted by the colonists: remarked, that with respect to the Scotch peers, the mountaineer lords, as they were called, he believed the creation would do no harm, if it did no good: what good it would do them, was best known to themselves: but he must observe, that the case was not without more precedents than one. It must be admitted, that the defence of Mr. Rigby, as the organ of government, against the charge of depreciating the Irish peerage, by lavishing it on persons no way connected with or interested in the welfare of that kingdom, was not very satisfactory at least to the Irish.

* 9 Com. Journ. p. 309.

“may

“ may justly command the affections of all his subjects, his instructions to
 “ me are to co-operate with his parliament in every measure, which can pro-
 “ mote the improvement, insure the happiness, and cherish the true interests
 “ of this kingdom. I decline making any professions relative to my future
 “ conduct; it is by the tenor of my actions, that the character of my admi-
 “ nistration must be determined.”

When the commons addressed to his excellency their thanks for his speech, they very significantly assured him, that they founded their hopes of his administration upon better omens, than those of mere assurances, and they were happy in having a chief governor, who chose rather to rest his character upon his conduct than his professions. Certain it is, that when Lord Buckinghamshire assumed the reigns of government, he found the country in a most deplorable state of calamity and distress.* In Dublin, numbers of wretched
 manufac-

* Stronger proofs cannot be adduced of national distress than the petitions of certain bodies of men, who were fallen from opulence and prosperity into the common calamity. Thus a petition was presented to the House of Commons, from the merchants and traders of Cork, setting forth that about the month of November, 1770, an embargo was laid on all ships laden with provisions, and bound from that kingdom to foreign countries, which was still continued by government, and had been very strictly enforced: that in consequence of that long embargo, an extensive beneficial trade, carried on for several years by that kingdom to France, Spain, Portugal, and Holland, for the supply of provisions, had been not only interrupted, but was in danger of being entirely lost; the petitioners being informed, that the merchants of these countries were respectively, stocked and provided from Russia, Sweden, Denmark, and Hamburgh, whereby the usual returns to that kingdom were discontinued, new enemies to our commerce were raised, and our commodities rendered useless and unprofitable. That great quantities of salt beef, not fit for the use of government or the sugar colonies, being made up in that city, and also great quantities of beef and butter being annually brought to that market, these commodities of a perishable nature were there decaying for want of a free export, to the great injury of the proprietors in particular, and of the kingdom in general. That in support of these assertions, there then remained on hand, since the preceding year, a very considerable quantity of provisions, the property of several merchants in that city, not wanted by government, and therefore without opportunity of sale; and although a considerable part of the season, in which those articles were made up and exported, had already elapsed, no demand whatsoever then existed for them, except for such quantities as were required by government alone. That his majesty's revenue, which before had received large and constant supplies from the Customs of the city of Cork, had decreased in proportion to the decay of their trade. That the embargo, therefore, at that time not being warranted by any great substantial necessity, but on the contrary, restraining and preventing the diffusion of trade, was pregnant with the most ruinous consequences, not only
 to

manufacturers had been reduced to extreme indigence, and would have absolutely perished, had they not been supported by public charity : nor was government able to make grants, either to promote industry, or to relieve the national calamities. Every branch of the revenue failed, and such was the

to the commercial, but also to the landed interests of that nation ; and therefore the petitioners prayed redress.

The manufacturers in Dublin also petitioned parliament that session, stating, that being made acquainted with the extreme distress of the working manufacturers and their families, consequent to the want of employment, had for some time past associated themselves, in order to advise and administer the most effectual relief in their power ; that, aided by the liberal benefactions of many others, they had daily supplied the craving necessities of above twenty thousand persons, numbers of whom must else have actually perished for want of food. That the petitioners, well aware how much more desirable it was in every respect, to enable the poor to earn their own livelihood, than to support them in idleness, early directed their attention to that important object, and resolved to apply as much of the fund, which the public liberality had supplied, as could be spared from the immediate relief of present urgent necessity, to the purpose of bounties on manufactures purchased by wholesale buyers within a short time, hoping that measure might have created a useful demand ; but they presently found the cause of the distress to be of too great a magnitude to be affected by their feeble efforts. From the best information that had been obtained, and the most probable calculations that could be formed, the petitioners had reason to believe that there were manufactures in Dublin of wool, worsted, silk, linen, and cotton, to the amount of at least 300,000*l.* lying on the hands of makers, for which there was not any demand, the shopkeepers and retailers being already loaded with very heavy stocks ; whereas at that season of the year the usual demand for most of these manufactures had been so great as entirely to take off the goods from the makers. The petitioners, therefore, begged leave to observe, that such unhappy circumstances utterly incapacitated the manufacturers from proceeding in their respective branches of business, and giving employment to the poor. That it would be an indignity to the wisdom and humanity of the house, for the petitioners to attempt to expatiate on the importance and necessity of furnishing employment to the lower orders of the people, or on the present affecting miseries of the poor of the city of Dublin ; and it would as ill become them to presume to point out modes of relief. That it was only for the petitioners to bring that great subject to the view of the house, to state the facts, which had come to their knowledge, and when required to support them by evidence ; having a most perfect confidence, that such relief as should appear necessary and adequate, would not be less freely granted than it was earnestly wished and prayed for by the petitioners. Another petition was also presented from the manufacturers of silk, wool, linen, and cotton, in the city of Dublin and liberties adjoining ; setting forth, that the petitioners from want of trade, were overloaded with goods for which there was no demand, amounting to upwards of 300,000*l.* That having worked up their capitals and credit, and finding no sale for their goods, they had been under the painful necessity of discontinuing employment to the working people, whereby they and their families, to the number of many thousands, were reduced to extreme poverty.

poverty

poverty of the nation, that the militia law could not be carried into effect. Ireland could not pay her forces abroad, and was obliged to borrow money from England to pay those at home. The parliament was necessitated to raise money at an exorbitant interest; the expences in 1777 having amounted to above 80,000*l.* more than the revenue: 166,000*l.* were therefore borrowed, and attempted to be raised in the old manner upon debentures at 4*l.* per cent.

So truly desperate was the financial state of Ireland, that like desponding bankrupts, the commons undertook to grant, what they knew they had not the means of paying. Even the ministerial party could not be blind to their situation. They would not however permit any question to be brought forward upon the state of the country in the commons, lest too strong resolutions upon it should be carried, or their opposition to them should appear even too rank for their own system. They accordingly had again recourse to the half measure of conveying their imperfect sense of the distressful state of the country through their speaker, who in presenting the first four money bills passed in that session addressed himself to the lord lieutenant in the following manner:

“ MAY IT PLEASE YOUR EXCELLENCY,

“ The same principle of duty, which directed the proceedings of the last parliament, has eminently distinguished the present in this their first session of business, a certain proof, that it is not confined to any class of men, but actuates the whole mass of the people in this kingdom. The commons, however disappointed in their hopes, that the large sums, which had been raised to discharge debts successively incurred, and the great addition of taxes, which had been imposed to prevent any future deficiency, would have proved effectual for those purposes, have now made provision for a new arrear of 166,000*l.* which they could not accomplish without a new loan; to pay the interest of which, they have been obliged to engage the scanty remnant of the former loan duties, the only fund now left; in this they have consulted more the honor of his majesty's government than the ability of the nation. But, however discouraging the present state of affairs may be to them, it will afford your excellency a favorable occasion, which they doubt not you will improve, of doing a signal service to this country, by laying before his majesty the difficulty, under which it labours, and by explaining the necessity either of limiting the ex-

“ pence, or of extending the trade of this kingdom. They place unbounded
 “ confidence in his majesty’s wisdom, justice, and paternal care of all his
 “ subjects, and they rely on your excellency’s candour and humanity to
 “ make a faithful representation to his majesty of their unshaken loyalty,
 “ duty, and affection.”

Although the House of Commons had through the organ of their speaker conveyed these sentiments to the lord lieutenant, which it should seem ought to have committed them to follow up the spirit of them with effect; yet in the division, which took place on the 6th of February, 1778, of 143 against 66, we read the melancholy perversity of a system, which binds the members to vote against, what on any other occasion than that of a division of their house, they individually and collectively admit and approve of. Thus were the approved principles, spirit, and substance of their speaker’s address to the lord lieutenant, when carried into detail and practice, rejected by the very persons, who were supposed to have spoken through the mouth of the approver. The patriots however, although sensible, that no motion from their side of the house would ever be adopted by the majority, who in Lord Clare’s phrase were kept steady in their ranks, yet they resolved, that their zealous, though ineffectual exertions to heal the wounds of their expiring country should be handed down to posterity, whose impartial judgment no interest would sway. After the speech of the lord lieutenant to both houses of parliament had been read by order, a motion was made, and the question put (though afterwards negatived by a majority of 77), “ *That an humble address be presented to his majesty, humbly to lay ourselves at his majesty’s feet, to assure him of our unshaken affection to his person and government, to lay before him the state of this nation, declaring our readiness and zeal to support, in the most honourable manner, the necessary expences of his government, and the dignity of his crown; that, however in the present session of parliament we have granted the supplies which were asked for the support of the present establishments, yet we should deceive his majesty if we suffered him from thence to conceive, that the expence of those establishments could meet with the continued support, or entire approbation of his faithful commons. That the expences of his majesty’s government have so increased in the course of twenty years, that the charge of the civil list alone

* 9 Com. Journ. p. 406.

has nearly doubled in that period. That one of the many causes of that increase is the rapid and astonishing growth of the pension list, now more than ever an object of universal complaint; a list, which does now greatly exceed the expences of all other charges of the civil list, even in its present state, and does considerably exceed the whole civil list at Lady-day, 1757, and is nearly double the charge of the pension list at that period, when it was so extravagant, that the commons, sensible of its weight, entered unanimously into the following resolution, which, with many others against it, were laid before his late majesty:

“ *Resolved*, That the granting of so much of the public revenue in pensions, is an improvident disposition of the revenue, an injury to the crown, and detrimental to the public.” That this increase in the pension list is more severely felt by his majesty’s subjects, when they consider that its present extravagance does not appear to have any foundation or excuse in the public service, or private want of those, who principally compose it; and his majesty’s faithful subjects have reason to believe, that in a list so greatly augmented in favour of such persons, and in times of accumulating debt, the real names of some of those pensioners, and the merits of more, have not been truly laid before him. That another cause of this increase is, a number of new, great, and additional salaries in the nature of pensions, annexed to lesser offices, mostly sinecures, or of so insignificant a trust, that the frugality of former times allotted to them small salaries. That another cause is the creation of new employments, or the annexing great salaries to old offices, that became obsolete, because they were useless. That offices so created, or revived, or endowed with great additional salaries, are become a heavy charge upon his majesty’s faithful subjects, unnecessary to the dignity of his crown, and under a prince of less virtue, dangerous to the constitution.— That his majesty’s predecessors were graciously pleased to confine military contingencies and *concordatum* to certain bounds; but in the last two years, during a considerable part of which time a great proportion of the army was not on the establishment, the exceedings on military contingencies were greater by far than in the two former years; and greater than ever was known in Ireland, of which unexampled excess, a very considerable part does not appear to be expended for military purposes, but is an inferior pension list, applied to the use of persons, many of whom, from their occupation or sex, cannot be comprehended within the meaning of a military contingency.

That the charge for exceedings on *concordatum*, like that of military contingencies, has greatly exceeded its limit, and in its excess and application is a grievance. That the original establishment was 10,000*l.* that the exceeding of Lady-day, 1777, was above 50,000*l.* an exceeding greater than ever was known before, part of which was for secret service, an expence suspicious from its nature, and alarming from its growth. That the exceedings on military contingencies and *concordatum* are the more an object of our jealousy, as we presume they are the more unbounded, because they do not come under the previous inspection of his majesty, and to this we attribute the abuses which have prevailed in both, and the application of great sums of public money to purposes, which do not seem to belong to said establishments, or to any branch of the expence of government.

That in 1773, his majesty's faithful commons did grant several new duties; that they were induced to such grant by a reliance then had on the faith of his majesty's ministers, plighted by the most solemn assurances publicly made to his commons, that the then expences of government should be greatly retrenched, so that the new grants of the people, and the stipulated retrenchment by the ministry, should unite to establish a system of equalization, and put an end to the ruinous practice of running in debt. That his majesty's faithful commons have performed their part of the engagement, by raising the revenue; but that the expences of this government, instead of being diminished, have been beyond example increased, inasmuch, that the commons did, in this session of parliament, come unanimously to the following resolutions: "*Resolved*, That the nett produce of the unappropriated revenue for the two years ending at Lady-day, 1777, as stated in the accountant-general's paper, No. 5, including occasional payments, exceeded the produce of the said revenue for the two years, ending at Lady-day, 1775, in the sum of 214,297*l.* 5*s.* 11 $\frac{1}{3}$ *d.*" "*Resolved*, That the charge of the military establishment from Lady-day, 1775, to Lady-day, 1777, was less than the charge of that establishment in the two former years, in the sum of 98,240*l.* 16*s.* 4 $\frac{3}{4}$ *d.*" "*Resolved*, That it appears from the accountant-general's paper, No. 3, that the total amount of public charges, exclusive of appropriated funds, and deducting the charge on account of Duncan-non Fort, for the two years ending Lady-day, 1777, was 1,629,073*l.* 5*s.* 2 $\frac{1}{2}$ *d.* and exceeded the produce of the revenue applicable thereto, in the sum of 82,130*l.* 19*s.* 1*d.*" "that it appears, that the highest revenue ever known in
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this country does not equal the expences of government, even when a great proportion of the army is not on the establishment. That the bounty of his majesty's commons has had little effect, other than to encourage new and unnecessary expences, whereby his faithful commons are subject to a still accumulating debt; and likewise to those taxes granted for the sole purpose of putting an end to so ruinous a practice. That as the expences of government when the army return, will be considerably greater, so the revenue upon an average calculation, will be probably less than in the two last years: that the revenues have already gone back in the half year ending last September, above 100,000*l*. And accordingly his majesty's ministers, finding themselves unable to support the present charges of government, without increasing the debt of the nation, though aided by all the new taxes, and though a great proportion of the army was not upon the establishment, did apply for a loan of 160,000*l*. bringing down the arrear to the 29th of last September, a method which has not been the usual resort of his majesty's ministers, and which bespeaks their sense of the state of the nation.

That, at the conclusion of the last war, his majesty was graciously pleased to order the then chief governor of Ireland, to recommend to his faithful commons a diminution of the then debt, and a reduction of the then expences of government, that the debt of the nation, as resolved, was then 521,161*l*. 16*s*. 0*d*; that the debt of the nation at Lady-day, 1777, was not less than 834,086*l*. 19*s*. 3*d*.; and the nation is likewise subject to the pay of certain life annuities, at the rate of 6*l*. per cent. for the sum of 440,000*l*. besides 166,000*l*. provided for by loan this session of parliament; in all 1,440,086*l*. 19*s*. 3*d*. of which the greater part has been accumulated since the peace, and more particularly within these few years last past, notwithstanding the new tax granted to put an end to the ruinous practice of running in debt. That the loan duties were the last session of parliament increased; and when the loan of the present session shall be resorted to, will in all probability be exhausted. That the expences, which have out-run the abilities of the people, appear the more alarming, because his majesty's faithful commons cannot be apprized what bounds are intended to be put to them. That even though we could be induced to think that such expences were the objects of support, not of retrenchment, yet an attempt to lay new duties upon import, export, or home consumption, would probably depress the old duty, and hazard or destroy the weakly remains of the trade of Ireland. That we humbly hope his majesty

jeſty will forgive us for having delayed ſo long to lay before him the real ſtate of this country, a country labouring under the ſevereſt reſtrictions in trade, and under a heavy weight of taxes, which are yet exceeded by her expence. That we have waited as far as was conſiſtent with our duty to his majeſty, or to thoſe whom we repreſent, conſiding in the ſolemn and repeated aſſurances of œconomy from time to time received from his majeſty's miniſters; that at length harraſſed by a courſe of unneceſſary expence, we can no longer refrain from laying the ſtate of this nation at the foot of the throne; and without preſuming to point out any particular method of redreſs, we do moſt humbly rely upon his royal virtues, and implore his protection."

It was now currently believed, though not officially known in Ireland, that France was about to abet the cauſe of the American coloniſts; upon which, as on all occaſions, the Iriſh were prominently forward in giving proofs of their attachment, duty, and loyalty to their ſovereign. The commons therefore prepared an addreſs to his majeſty, and ſent it up to the lords for their concurrence.* But within four days from their having voted that addreſs, Mr. Secretary Heron informed the Houſe of Commons, that he had in command from his excellency to communicate to them the following meſſage: † ("BUCKINGHAMSHIRE.)

"I have his majeſty's commands to acquaint you, that his majeſty, having been informed, by order of the French king, that a treaty

* The form of the addreſs was to the following effect: 9 Com. Journ. p. 451.

† To the King's Moſt Excellent Majeſty. The humble Addreſs of the Knights, Citizens, and Burgeſſes in parliament aſſembled.

"MOST GRACIOUS SOVEREIGN,

"WE your majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland, in parliament aſſembled, in the preſent critical ſituation of affairs beg leave humbly to approach your majeſty with the moſt unfeigned aſſurances of loyalty, duty and attachment to your majeſty's royal perſon and government; and to declare, that at a time when the public tranquillity is in danger of being further diſturbed by the interpoſition of a foreign power, we feel ourſelves called upon to take the earlieſt opportunity of expreſſing our zeal for the dignity of your majeſty's crown, and our earneſt wiſhes and warmeſt regards for the proſperity of Great Britain. We think it at this time peculiarly incumbent on us to aſſure your majeſty, that your majeſty may rely with the greateſt confidence on the entire affection of your faithful ſubjects of Ireland, and depend on their co-operating chearfully with your majeſty to the utmoſt of their ability, in aſſerting the honour of your majeſty's government, and eſtabliſhing the ſecurity of your dominions."

† 9 Com. Journ. p. 458.

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“ of amity and commerce has been signed between the court of France and
“ persons employed by his majesty’s revolted subjects in North America, has
“ judged it necessary to direct, that a copy of the declaration delivered by
“ the French ambassador to Lord Viscount Weymouth, be laid before the
“ House of Commons ; and at the same time to acquaint them, that his ma-
“ jesty has thought proper, in consequence of this offensive communication
“ on the part of the court of France, to send orders to his ambassador to with-
“ draw from that court. That his majesty is persuaded that the justice and
“ good faith of his conduct towards foreign powers, and the sincerity of his
“ wishes to preserve the tranquillity of Europe, will be acknowledged by all
“ the world ; and his majesty trusts, that he shall not stand responsible for the
“ disturbance of that tranquillity, if he should find himself called upon to re-
“ sent so unprovoked and so unjust an aggression on the honour of his crown,
“ and the essential interests of his kingdoms, contrary to the most solemn
“ assurances, subversive of the law of nations, and injurious to the rights of
“ every sovereign power in Europe. That his majesty, relying with the
“ firmest confidence on the zealous and affectionate support of his faithful
“ people, is determined to be prepared to exert, if it shall become necessary, all
“ the force and resources of his kingdom, which he trusts will be found ade-
“ quate to repel every insult and attack, and to maintain and uphold the
“ power and reputation of his dominions.”

After this message had been read, it was ordered to be entered on the journals, and a motion was immediately made and carried, that an humble address should be presented to his excellency, to request that he would be pleased to return his majesty their thanks for the important intelligence his majesty had been pleased to communicate to them. That they had read with the utmost indignation and resentment a copy of the declaration delivered by the French ambassador to Lord Viscount Weymouth ; and that they could not but applaud the measure taken by his majesty, in consequence of that offensive communication on the part of the court of France, in sending orders to his ambassador to withdraw from that court : that confiding in his majesty’s paternal attachment to the welfare of his people, and his spirited regard for the honor of his crown, they made no doubt, but he would pursue such measures as might effectually preserve and assert those great objects ; and, that as they were conscious no part of his majesty’s dominions could exceed his faithful subjects of Ireland in the most loyal attachment to his person
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and government, so were they persuaded, that his majesty would extend his royal care and attention to the effectual protection and defence of that kingdom; and that they entreated his excellency to assure his majesty, that in so doing, he might rely on the most zealous and affectionate support of that house, and that they would cheerfully make good whatever expence should be necessarily incurred thereby; sincerely lamenting that their abilities were not equal to their zeal for the honor of his majesty's crown, and the real interests of Great Britain. That the justice and good faith of his majesty towards foreign powers were too conspicuous, and the sincerity of his wishes to preserve the tranquillity of Europe too well known, to admit of his being responsible for the disturbance of that tranquillity, if his majesty should find himself obliged to resent so unprovoked and so unjust an aggression on the honor of his crown, and the essential interests of his kingdoms. That they made no doubt but his majesty would find abundant resources in the strength of his kingdoms, and above all, in the hearts of his people, to repel every insult and attack, and to maintain and uphold the power and reputation of his majesty's dominions; and that they could not but rejoice, that his majesty's loyal subjects of Ireland had had an opportunity of anticipating the present occasion, by unanimous and uncalled-for assurances of their affectionate zeal and loyalty to his majesty's person and government.

Although artifice and power combined to varnish the appearances of the political state of the country, and to bolster up a false credit, the delusion did not last even three months.* Three hundred thousand pounds were ordered to be

* 9 Journ. Com. p. 463. Mr. Forster, according to order, reported from the committee of the whole house, to whom it was referred to take into further consideration the message from his excellency the lord lieutenant, the resolution, which the committee had directed him to report to the house, which he read in his place, and after delivered in at the table, where the same was read, and is as follows:--“ *Resolved*, That it is the opinion of this committee, that for all and every the
 “ sum or sums of money, not exceeding the sum of 300,000*l.* to be subscribed in shares of 100*l.*
 “ each, that shall be paid by any person or persons, natural-born subjects or foreigners, into his
 “ majesty's treasury, at the instance of his excellency the lord lieutenant, or other chief governor
 “ or governors of this kingdom for the time being, to be applied towards the necessary expences of
 “ government, in putting and maintaining this kingdom in a state of defence, upon one or more
 “ tontine or tontines, scheme or schemes of life annuities, this house will make good to the person
 “ or persons so paying and advancing such sum or sums respectively, or to any person lawfully au-
 “ thorized to receive the same, annuities of 6*l.* by the year for every 100*l.* subscribed and paid, for
 “ and

be raised on the 30th of March, 1778, by a tontine at 6l. per cent. And such was the assurance of government upon the proposal of this loan, that when the patriots, upon the conviction of the inability of the country to raise it, moved for reducing it to 150,000l. the proposed reduction was immediately negatived upon a division. Such, however, was the depressed state of public credit at that time, that on the 3d of June Mr. Secretary Heron had the mortification to communicate the following message to the House of Commons.

(" BUCKINGHAMSHIRE.)

" GENTLEMEN,

" IN pursuance of a resolution of the House of Commons, entered into on the 31st day of March last, for raising upon a scheme of life annuities, in the manner therein mentioned, a sum not exceeding the sum of 300,000l. to be paid into his majesty's treasury, to be applied towards the necessary expences of government, in putting and maintaining this kingdom in a state of defence, I have given such directions as appeared to me most proper to carry the same into execution: and I am sorry to inform you, that it is found, after the most diligent endeavours exerted for the purpose, that the sum intended to be raised by that resolution cannot be obtained upon an interest of 6l. per cent. with benefit of survivorship. I therefore thought it incumbent on me, that this house should be made acquainted therewith, not doubting, that the commons of Ireland, attentive to the honor of his majesty's government, and to the safety of this kingdom,

" and during the lives of the persons to be nominated by the persons subscribing and paying the said sum or sums respectively, their executors, administrators, or assigns, the said annuities to be made good in the same manner as annuities granted by an act of parliament passed in the session holden on the fifteenth and sixteenth years of his present majesty, intituled, '*An Act for granting Annuities*' in the manner therein provided, to such persons as shall voluntarily subscribe towards the raising a sum not exceeding 175,000l. and to be payable at such place or places, and in such manner, with such benefit of survivorship upon each and every such tontine or scheme of life annuities, and with all and every such rights, benefits and advantages, and subject to all and every such regulations and restrictions as in and by the said act were granted, enacted, made, and provided concerning the annuities in the said act mentioned, the said annuities upon the sum or sums so to be advanced, to be payable half yearly in equal proportions, on such days in every year, and to commence on such day or days, and the shares or subscriptions of 100l. each, to be paid at such times and in such proportions; and the lives for which such annuities shall be granted, to be nominated within such time or times before the 29th day of Sept. 1779, as his excellency the lord lieutenant, or any other chief governor or governors of this kingdom, for the time being, shall publicly declare and appoint."

“ will take such measures as shall be most prudent to carry the intention of
“ that salutary resolution into immediate effect.”

Pressed as was the British ministry with the unpopular and ruinous contest with the American colonists, now backed and openly supported by France ; losing their influence and credit at home ; and greatly embarrassed for the ready and efficient means of raising the supplies, Lord North found it incumbent upon him to devise some public measures, that should at least substitute a share of that popularity, which he was now daily losing, and relieve these fiscal difficulties, by facilitating the means of recruiting the navy and army. He was not ignorant of, though he betrayed no public alarm at the diffusion of the American spirit of liberty through all ranks of people in Ireland. He also too well knew the national grounds of discontent and misery, which stretched over the whole surface of that kingdom. It may have been uniformly remarked throughout this history, that the Irish have been ever profusely grateful for every thing, that had come to them in the form of concession and kindness ; but the reluctant boon wrung out of the grasp of power by extreme distress, can never be received, or returned with fair sensibility. The blame of having long withholden ought not however to efface the whole merit of late or partial concession. To the administration of Lord North must be given the singular and important credit of having first opened the door of liberality to the Irish Roman Catholics, in the face of a very powerful and determined opposition. It fell to his lot, to experience the fatal effects of former emigrations from Ireland to America : it being a fact beyond question, that most of the early successes in America were immediately owing to the vigorous exertions and prowess of the Irish emigrants, (chiefly from the North) who bore arms in that cause. He accordingly adopted the wise policy of engaging the affections and gratitude of the Irish people, by alleviating in some degree the immediate cause of their forenness and discontent.

The progress of the American contest had afforded a strong practical lesson to ministry of the importance of national harmony at home. It was resolved therefore in the cabinet, that some popular measure of toleration should be brought forward in each parliament. But the mind of the public was not yet so broken in to this liberality, that the minister dared to submit it to parliament as a government measure. He well knew, that the patriots in both parliaments would support the proposition, and that it would be carried by the natural and unbiassed majority, from the moment that the minister's
assent

assent gave freedom of voting to all his adherents. *The English House of Commons being in a committee to take into consideration the acts of parliament relating to the Irish trade, the Earl of Nugent observed, that from a long series of unshaken loyalty the Irish were entitled to every encouragement which good and faithful subjects could deserve, and a wise and grateful government could give; oppressive laws had hitherto been their only reward; he did not, however, mean to complain; if he did, his generous countrymen would disavow his complaints: they then saw Great Britain in distress; that silenced their resentment; and, forgetful of their wrongs, unsolicited they now made a tender of their lives and fortunes for the service. If the narrow policy of Great Britain had not kept them low, they would have sent over something more substantial than addresses; their armies would arrive here for our defence. Would the parliament of Great Britain suffer every sentiment of gratitude and justice to be inactive in their breasts? Would they become deaf to the voice of policy? He trusted, he was sure, they would not; and he had not a doubt but the house would give ample proof, that they were not void of discernment to see, nor of inclination to reward merit. He had taken a view of all the laws, which bore hard on Ireland, and, trusting to the justice and humanity of the house, he had drawn up a few resolutions which he hoped the committee would adopt. His lordship then moved, that the Irish might be permitted to send on board of British vessels, navigated according to law, to the coast of Africa, and our settlements abroad, all sorts of Irish manufactures, woollen and woollen clothes excepted.† Mr. Pelham professed himself a well wisher to Ireland; and said, that no man had a greater respect for that kingdom than he had; he was not, however, without his doubts, that the present measure would be highly detrimental to the manufactures of this country; the taxes in Ireland being low, and labour cheap,

* 8 Eng. Deb. p. 206. This committee sat on the 7th of April, 1778.

† 8 Eng. Deb. p. 208. Lord Nugent then made another motion, That the Irish might be permitted to import all sorts of ware and merchandize from the coast of Africa, and plantations abroad, indigo, tobacco, and sugar only excepted. The word sugar was inserted by his lordship, merely to prevent an opposition from the West India merchants; but on the motion of Lord Newhaven, it was left out, and the motion passed *Nem. Con.* Lord Nugent again moved, that glass manufactured in Ireland might be exported by the Irish, except into Great Britain; and that Irish cotton might be imported duty free into Great Britain. These motions passed unanimously. Mr. Burke then moved, that Irish sail cloth might be imported into this kingdom duty free. This motion likewise passed *Nem. Con.*

the Irish would be able to undersell us, and thereby ruin several of our trading towns.

Lord Beauchamp begged leave to set the honorable gentleman right. The taxes in Ireland were many and high; and, proportionably to the means of paying them, considerably greater than in England. Some gentlemen who had travelled into Ireland, had, from the opulence of its metropolis, and the unbounded hospitality of the people of fashion, formed very unjust ideas of the real state of the kingdom: it was reduced by oppressive laws to a wretched situation; their loyalty was, however, superior to every other selfish consideration; they saw nothing but our danger; and though our acts had banished into foreign countries numbers of their brethren, and left them in a miserable state, still they were willing to strain every nerve to serve us in the moment of distress: a braver, more generous, and more loyal people was not to be found; he flattered himself, therefore, that they would be treated by the house according to their high deserts.

Mr. T. Townshend expressed his warm approbation of the motion; was happy to see the mist of prejudice begin to disperse; would be happy to give the measure a broader bottom; though as steadfast a Protestant as any gentleman in the house, he declared he should be glad to see some means adopted to grant such indulgencies to the Roman Catholics of Ireland, as might attach that great body of men to the present government: their affections had been alienated; he wished to recall them by indulgent behaviour.

Lord North, adverting to what *Mr. Townshend* had said, declared he would with all his heart concur in any measure, that could tend to answer so desirable an end; but it was not their province; it was the province of the parliament of Ireland; the laws which were so severe against the Roman Catholics had originated there, and redress of domestic grievances should of right originate likewise from them; and he was of opinion, that the Irish parliament would see where the grievance lay, and redress it, for there was not any where a people of more liberal sentiments than the Irish. The penal laws of Ireland were the consequences of apprehension, which, however groundless, always adopts the most cruel and severe policy. The Irish complained, and complained with justice; but it must be left to the candour of their own parliament to grant such indulgence to the Roman Catholics as their loyalty deserved: he requested the house would agree to that, which was in their power, and their province: to relax the trade laws would benefit
the

the Irish, and ultimately enrich ourselves; embarked in the same cause with us, they cannot be called our rivals in trade, but their rivals were our rivals. The exceptions of woollen cloth he would say nothing to; it might not, perhaps, be just; but it was a point given up by the Irish, and confirmed by an ancient compact: if it should be found in the course of the proceedings on this business that any other exceptions were necessary, the house no doubt would make them. Upon the whole, the motion should meet his hearty concurrence.

Thus did the British minister in the most public manner declare his cordial and unequivocal wishes, that his majesty's Catholic subjects of Ireland should be relieved from what he admitted they complained of with justice: but it was to be effected by the Irish parliament, in which it is lamentable to say, bigotry and prejudice still held a sway, long since banished from the walls of St. Stephen's. The principle of toleration applied both to Great Britain and Ireland; but the political necessity of reducing that principle into action operated upon the two kingdoms in the inverse ratio of the respective dispositions of the two parliaments to effect it. In Great Britain scarcely one hundredth part of the population professed the Roman Catholic religion: and that body had long enjoyed a sort of tacit protection from the rigor of the penal laws. * Yet as Lord Ashburton observed on seconding the motion of Sir George Savile, "the mildness of government had hitherto softened the rigor of the law in the practice, but it was to be considered, that the Roman Catholic priests were still left at the mercy of the lowest and basest of mankind; for on the complaint of any informing constable, the magisterial and judicial powers were bound to enforce all the shameful penalties of the act." On the 14th of May, 1778, Sir George Savile moved for leave to bring in a bill for the repeal of certain penalties and disabilities provided in an act of the 10th and 11th of William III. intitled, "An act to prevent the further growth of popery." In proposing this repeal, the honorable baronet ob-

* 8 Eng. Deb. p. 228. Speech of Mr. Dunning. Some time before this period the penal laws had been enforced against two priests, a Mr. Malony, and Mr. Talbot, the brother of the Earl of Shrewsbury. But to the humanity of the British nation it must be recorded, that these proceedings had been resorted to by a solitary individual, one *Pain*, a carpenter, who having two daughters, little business, much bigotry, and more covetousness, had formed the singular speculation of acquiring 20,000*l.* apiece for his daughters fortunes by informations under the penal statutes against the Catholics.

served,

served, that he meant to vindicate the honor and assert the principles of the Protestant religion, to which all persecution was foreign and adverse : that the penalties in question were disgraceful not only to religion, but to humanity : they were calculated to loosen all the bands of society, to dissolve all social, moral, and religious obligations and duties : to poison the sources of domestic felicity, and to annihilate every principle of honor. Such was the liberality of the house, that the motion was carried without a dissentient voice. Lord Ashburton, then Mr. *Dunning*, seconded the motion with his usual ability, and Mr. *Thurlow*, the attorney general, explained and strongly supported the bill. Lord *Beauchamp*, in expressing his extreme satisfaction at the motion, observed that it gave him the more pleasure at that time, as he thought the commercial advantages, which parliament then meant to bestow on Ireland would be of very little use to that country, unless they were accompanied by a repeal of the penal laws, which had long depressed three fourths of the people there ; and that bill he hoped would, when passed, be an example to the Irish parliament, in whose power it was to give that relief to their brethren ; and he was sorry to say he thought, though their faith were in some degree pledged for the effect of some such measure, nothing had yet been done for that people. They had begged to have a test of loyalty and obedience to the government given them : that test was made, and taken by a large and respectable number of Roman Catholics ; yet nothing had been granted them in return. Nay more ; when a bill had been brought into the Irish parliament to allow Papists to take building leases in corporate towns, that most reasonable indulgence was ungenerously refused them. Something, he said, might be suggested in excuse with relation to the late disturbances in the south west part of Ireland ; but he assured the house, that he never knew a Roman Catholic of property in that country who did not express the greatest abhorrence of those violences ; and he was convinced, that it was want of employment, want of industry, and want of reward for labour, that caused them ; and he concluded with a declaration, that he did not think the little indulgence, which was then proposed to be given to the Roman Catholics of this kingdom, should be accompanied by any test, as he was sure, that any member, who read over the act of King William (which he then held in his hand) would think that in repealing it he was not so much employed in conferring favours on the Catholics as in rescuing the statutes from disgrace.

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The real policy of relaxing the penal code of the Irish had universally pervaded not only the British cabinet, but the British senate; not one morose, bigotted, or fanatical voice was heard in discord, to this truism advanced by Mr. Burke on Lord Nugent's first motion for a committee to consider the trade of Ireland, *That Ireland was now the chief dependance of the British crown, and that it particularly behoved this country to admit the Irish nation to the privileges of British citizens.** For although a considerable opposition were afterwards made to the bill for opening the trade, the strongest opposers of that measure admitted the necessity of passing a bill for the relief of the Roman Catholics in Ireland.† On the eleventh day after the British House of Commons had given the liberal example of universal assent to Sir George Savile's motion in favor of the Roman Catholics of England, Mr. Gardiner on the 25th of May, 1778, made a motion in the Irish House of Commons, and the question being put, that leave be given to bring in heads of a bill for the relief of his majesty's Roman Catholic subjects of Ireland, and that Mr. Gardiner, the Hon. Barry Barry, and Mr. Yelverton, do prepare and bring in the same, and it was carried in the affirmative.‡ At the same time the Presbyterians of Ireland bearing in mind, that the sacramental test had been imposed upon their ancestors by their lying by, when new severities were imposed upon their Roman Catholic brethren, came forward on this occasion to partake of the first symptoms of tolerancy in an Irish parliament. In order not to be excluded from the indulgencies about to be dispensed to the Catholics, Sir Edward Newnham on the same day moved, that leave might be given to bring in heads of a bill for the relief of his majesty's subjects the Protestant Dissenters of that kingdom: and Sir Edward Newnham and Sir Boyle Roche were ordered to prepare and bring in the same. But whether from a conviction, that the relief to the Dissenters was not of equal urgency with that proposed to be granted to the Roman Catholics, or that the British cabinet had hitherto expressed no opinion or inclination in their favor, the measure was remitted to another session.

* 8 Eng. Deb. p. 185. viz. 1 April, 1778.

† Thus Sir Cecil Wray, one of the most violent opposers of the extension of Irish trade said, he well knew the grievances of Ireland, and lamented them; amongst which were the Irish Pension Bill—the sinecure offices, the *Roman Catholic Bills*, the Absentees, and various others; and assured the house he would gladly join the house in redressing them.

‡ Journ. Com. p. 475. The division is not given in the Journals.

The great object and important consequence, which the Catholics of Ireland obtained by this bill was the legislative avowal contained in the preamble of it, of those facts and assertions, which some few years back, it would have been considered little short of treason to have advanced: namely, that the severities of the act of Ann ought to be relaxed, that the Roman Catholics of Ireland were excluded from and ought to be admitted to the blessings of our free constitution, and that it would promote the prosperity and strength of all his majesty's dominions, that the Catholics should be bounden to the Protestants by mutual interest and affection.* The establishment of this principle gave them a footing to stand upon in every future application to the crown or parliament for a full participation of *every blessing of our free constitution*. The advantages granted by this act were, that any Roman Catholic taking and subscribing the oath of allegiance and declaration prescribed by the 13th and 14th of Geo. III. c. 35. might take, enjoy, and dispose of a lease for 999 years certain, or determinable on the dropping of five lives, and that the lands then seized by Catholics should in future be descendible, deviseable, or alienable as fully, as if they were in the seisin of any other subject of his majesty: and that it should no longer be in the power of a child to fly in the face of his parent by demanding a present maintenance out of the father's personal estate, or by depriving him totally of the inheritance of his real estate, as he before had been enabled to do by the 2d Ann, c. 6. This was a qualified admission over the threshold of property, and the more welcome to the Catholics, from their conviction, that a breach once made in that penal fortress, it was impossible it should hold out much longer.† Although

* 17 and 18 Geo. III. c. 49. An act for the relief of his majesty's subjects of this kingdom professing the Popish religion. "Whereas by an act made in this kingdom in the second year of her late majesty Queen Ann, intituled, An Act to prevent the further Growth of Popery, and also by another act made in the eighth year of her said reign for explaining and amending the said act, the Roman Catholics of Ireland are made subject to several disabilities and incapacities therein particularly mentioned: and whereas from their uniform peaceable behaviour for a long series of years, it appears reasonable and expedient to relax the same, and it must tend not only to the cultivation and improvement of this kingdom, but to the prosperity and strength of all his majesty's dominions, that his subjects of all denominations should enjoy the blessings of our free constitution, and should be bound to each other by mutual interest and mutual affection:" &c.

† Among other warm supporters of this bill was Sir Hercules Langrishe, to whom Mr. Burke thus wrote with reference to it (p. 87) "It is a thing humiliating enough, that we are doubtful

Although less were in fact granted by Mr. Gardner's bill to the Irish, than by Sir George Savile's bill to the English Roman Catholics, yet widely different was the progress of each through the houses. The former was contested in every stage through the Irish House of Commons: on the 5th of June, 1778, five divisions took place upon it, though each were carried in the affirmative: and on the 15th of the same month three divisions in like manner were had.* On the 16th Mr. Dillon, who took a very active part in the bill, reported progress from the committee, where it was warmly debated, and upon the motion for the house's resolving itself into a committee of the whole house to take the said heads of the bill into further consideration, on the 18th of June the house divided, 56 against 47. Mr. Tottenham and Mr. William Handcock were prominent in their opposition to the bill. On the 18th the house in committee sat in debate till three o'clock in the morning, and on the 19th till four o'clock in the morning upon these heads of a bill; and on the 20th Mr. Gardner was ordered to attend his excellency the lord lieutenant with the said heads of a bill, and desire the same might be transmitted into Great Britain in due form. Thus after the severest contest, with the full and unequivocal approbation of government, the general support of the patriots, and the unanimous accord of the British legislature in a similar indulgence to the Roman Catholics of England, were these heads of a bill carried through the Irish House of Commons by the small majority of nine. Upon the third reading of this bill in the House of Lords, the contents with their proxies were 36, and the not contents were 12. On the 14th of August the lord lieutenant put an end to the session. After having complimented both houses upon their long and faithful attendance, he assured the commons, that

" of the effect of the medicines we compound. We are sure of our poisons. My opinion ever
 " was (in which I heartily agreed with those, that admired the old code) that it was so constructed,
 " that if there was once a breach in any essential part of it, the ruin of the whole, or nearly of the
 " whole, was, at some time or other, a certainty. For that reason I honor, and shall for ever ho-
 " nor and love you, who first caused it to stagger, crack, and gape. Others may finish, the be-
 " ginners have the glory; and, take what part you please at this hour, (I think you will take the
 " best) your first service will never be forgotten by a grateful country."

* 9 Com. Journ. p. 493. One of these was upon admitting a clause for repealing that part of the statute of Queen Ann, which requires the sacramental test as a necessary qualification for holding offices and places of trust and profit under the crown. On this day also a petition from the mayor, sheriffs, common council, freemen, freeholders, and other Protestant inhabitants of the city of Cork, was presented against the bill,

their grants should be faithfully applied, and that it should be his endeavour, that the welfare and security of the people might amply compensate for those charges, which the exigency of public affairs had unavoidably occasioned.* He then addressed himself to both houses, and said, he flattered himself that the regulations, which had taken place that session, would prove essentially serviceable to that valuable branch of commerce, the fisheries of Ireland. It was with pleasure, that he saw an act passed for establishing a militia, which by enabling his majesty, when he should think proper, to call forth that part of the national strength, might materially contribute to the protection and defence of the kingdom. The law for relieving the Roman Catholics from some of those disabilities, under which they had hitherto laboured, would, he hoped, attain the desirable end of promoting and establishing good will and mutual confidence among his majesty's subjects, and by rendering them more united at home, make them more formidable to their enemies abroad. He congratulated with them on the late extension of the trade and commerce of that kingdom; it was a circumstance peculiarly fortunate to them, that an event which promised such advantages to Ireland should have taken place during his administration. While they justly enjoyed the approbation and gratitude of their country, for having promoted so many useful laws, he was persuaded, they would not forget what was due to the paternal care of an affectionate sovereign, and the kind disposition of Great Britain towards that country; they would cultivate jointly, as in sound policy they were inseparable, the true interests of both kingdoms.

We have seen, that the alarming distresses of Ireland had roused the British House of Commons to afford them some commercial relief. When the bills to this effect were to be read a second time, several members for trading towns violently opposed them, and the table of the house of commons was covered with petitions against any extension of commercial advantages to Ireland, by which the trade of Great Britain should be in any manner affected. So violent indeed were the towns of Liverpool, Manchester, and Glasgow, that they menaced to be no longer loyal, if these bills should pass: and Lord Middleton observed in the debate, "that these towns were experienced in rebellion
" so abundantly, that the transition would be an object of easy accomplish-
" ment, and the world would entertain little surprize, if they threw aside

* 9 Journ. Com. p. 520.

“ their new-fangled opinion.” Lord North was of opinion, that as the expectations of the Irish were raised from what the house had already done, it would be unwise to protract the business to another session. The gentlemen, who opposed the bill seemed all to agree in one point, that somewhat ought to be done for their relief, though they differed about the nature and extent of what ought to be done. He saw no reason, however, why the present bill should not pass, since the house might, notwithstanding, appoint a committee to enquire into the state of the trade, that from their report a plan might be formed and adopted. He did not see the mighty difficulty, that was said to exist, in calculating the difference necessarily to arise in the annual imports, by the effect of the bill before the house. It would create small difference, comparatively speaking, in the revenue, since the diminution in the imports of one place would give an additional increase to those of another, as the difference of duty on the enumerated articles was very trifling. He held it as the duty of Britain to give Ireland a degree, at least, of recompence for the exertions she had made, were we not inclined by policy, to give her relief from the restrictions she laboured under; and he hoped the house would agree on the present bill, as a test of their intention and inclination to befriend her in future more substantially.* Mr. Burke answered the arguments of the honorable gentleman who opposed the bill. The bills before the house, he said, were no more than restorations of what the wisdom of a British parliament had, on a former occasion, thought proper to invest Ireland with. In the 12th of Charles II. the navigation bills passed, extending to Ireland as well as England. A kind of left-handed policy had, however, deprived her of the freedom she enjoyed under that act, and she had ever since remained under the most cruel, oppressive, and unnatural restriction. Deprived of every incentive to industry, and shut out from every passage to wealth, she had inwardly lamented, but she had never complained of her condition. She had gone the most forward lengths in serving the interest and defending the rights of Great Britain. She had assisted in conquests, from which she was to gain no advantage, and emptied her treasury, and desolated her land, to prove her attachment and loyalty to the government of

* In all the affairs of Ireland Mr. Burke has ever evinced the most accurate historical knowledge, the most unbiassed judgment, and the most constitutional spirit of any member in either parliament. The historian cannot therefore dispense with favouring the reader with the historical views from that masterly hand as they occur.

this country. Such had been her conduct, and her reward had been restriction and bondage of the most cruel nature. He did not mean, by describing her situation, to engage the humanity of the house in her favour. The people of Ireland would not accept favours flowing from the humanity of the house. They called for justice, not for pity. They requested Britain to be wise, not to be generous; to provide for her own good, and secure her own interest; sensible that wisdom and prudence would dictate, that to accomplish these, a contrary conduct towards them was necessary. The honorable gentlemen, who opposed the bill, had drawn into collection the arguments and reasons they maintained to exist against all the bills, meaning, no doubt, thereby to prejudice the house the more by their aggregate effect. Though he detested this inequitable mode of proceeding, he would not evade the combat even on that ground; nor wish to engage the house in favour of the bills, if he could not, in the fullest manner, answer every objection they had brought to every part. The honorable gentleman, who had moved the amendment, wished to reconcile the people of Ireland to delay, by pledging the honor of parliament, that something effectual should be done in their favour next session. He knew the temper of the Irish too well, to believe, that they would sit down satisfied with such an assertion.

They would conclude within themselves, depending on experience for their guide, that the promise of something to be done next session, would alone produce the repetition of a promise for the session following; and promise, repetition, and promise, from session to session, would be the only benefit they would receive. He did not conclude, that the denial of what even justice demanded of us in their favour, would produce rebellion and disturbance in that country; their loyalty and zeal were superior to complaints; they might despair, but they would not resist. Other places experienced in rebellion, had determined, it seems, to enter or not to enter into it, according as these bills were determined; but Ireland regarded more the welfare of the empire at large, than the interest of itself in particular. They were patient and loyal, and therefore, he supposed, they were crushed; for it was the policy of the present day to forego the excellent and noble maxims of the Romans, *parcere subjectis et debellare superbos*, for the infamous proverb of British growth, "proud to the humble, and humble to the proud." He then went into a particular detail of the arguments of the honorable gentlemen relating to commercial advantage. The annual revenue of the two kingdoms had

had been exultingly, but most inequitably drawn into comparison, to prove that Ireland paid no proportion of tax. It was not the number of inhabitants, that constituted the different specific in the article of taxation between two countries; but the distinction of internal opulence and external advantage. Compare the two countries by that line, and it will be found that Ireland is taxed in a quadruple proportion more than England. The internal wealth, and external advantage of trade and commerce, is forty times greater in England than in Ireland. There is, therefore, no *ratio* of proportion preserved in the mode of taxing the latter. She is taxed, without enjoying the means of payment. She is debarred the use of shoes and stockings, and yet she is made to pay for them. Restricted from trading, she enjoys no opportunity of acquiring wealth to discharge the taxes imposed upon her. Enlarge her means of payment, and in proportion to her ability enlarge her taxes. An equality of commercial advantage could not be established between the two countries. The opulence of the one is a barrier insuperable by the other. The great disproportion of capital effectually destroys the possibility of an equality. The one can extend her mart of trade through every different channel of the universe; the other, restrained in her ability, cannot prosecute the same tract; and as the ability of the proceeding increases in the same proportion, in the progress of one as well as the other, the same proportion of advantage will still remain. The Irish will be able to follow the English at equal distance, in every stage, both in the outset and in the continuance; but they never will be able to accelerate their motion in order to overtake them. The lowness of labour is a nugatory argument; for until the instant that the price of labour is equal, the superiority of manufacture will remain with the English. The price of labour rises with the growth of manufacture, and is highest when the manufacture is best. The experience of every day tells us, that where the price of labour is highest, the manufacturer is able to sell his commodity at the lowest price. The difference of duty of the imported enumerated articles, is so abundantly overbalanced by the other advantages enjoyed by this country, that without it there could not be the smallest degree of competition in manufacture. Not one, however, of the enumerated articles is less taxed in Ireland than in England, except those already permitted to her. For though the petitions on the table are most, if not all, tending to express their fears of the consequences of granting a free exportation of sail cloth and iron to the Irish; it is a fact, that they already enjoy

joy a free exportation of these articles; and particularly he would remark of manufactured iron and steel, as he did on a similar occasion of sail cloth, that the petition served to shew the foundation on which they all were laid, namely, merely conjecture. They had not felt from the reality what they dreaded from the idea; for an act existed at this time permitting the free exportation of manufactured iron; which, however, had not been prosecuted, because of the advantages enjoyed by the English. The only article imported under that act into England, was a quantity of cork screws, which, though it might be an evidence of their luxury in living, was but a feeble proof of their excellence of manufacture. But, indeed, every other instance, as well as this, served to prove how erroneously they had formed their opinions on the subject. Some years ago, when a bill was brought in for the free importation of woollen yarn into England, petitions were received from every different part of the country, complaining of the injury it would create; but now that they had experienced its effects, they felt and acknowledged its beneficial tendency. It was absurd to think that a participation of manufacture would be detrimental to this country. Had we not seen the woollen manufacture planted in different parts of this country; and had we not also seen that the competitions had served to advance both. He concluded with lamenting, that in one instance he should be directed by his conscience to take a part against his constituents. It had been his invariable aim to protect their rights and interests, and to act at all times as became the senator and representative of the people. In this instance he had dared to act contrary to the wishes, but not, he was sensible, to the interests of his constituents.* He differed in opinion from them on the noblest principle, namely, from his being in the right; and if, from his conduct in this business, he should be deprived of his seat in that honorable house, it would stand on record an example to future representatives of the commons of England, that one man, at least, had dared to oppose his constituents, when his judgment assured him they were in the wrong.

The national distresses of Ireland were too alarming to the British empire to permit the legislature of either country to sleep over them. During the recesses of the Irish parliament, we find that of Great Britain as frequently and as earnestly employed upon its interests, as if that kingdom had been within

* The Electors of Bristol.

the jurisdiction of its legislative powers. On the 16th of December, 1778,* Lord Nugent described the inhabitants of his native country as suffering every species of misery and distress human nature was capable of bearing; a people, nine-tenths of whom laboured for four-pence a day, whose food in summer was potatoes and butter milk, and in winter potatoes and water; he gave notice, that in consequence of what passed the last session, it was intended to propose to take off some of the restrictions of the trade of Ireland. He said, the people of Ireland expected some relief: that kingdom was oppressed and ruined; they would emigrate to America; they would carry the woollen and linen manufactures thither; they would soon rival those of this country: in short, our restrictions would transfer the trade and manufactures of Ireland to America.

Among the other hardships suffered by the people in general, the landed part of them had their share. There was now an uninterrupted embargo, which still existed, on the exportation of the only staple commodities they had, beef and butter; the lands were fallen one third in value; the graziers were become bankrupts, the full proof of which he experienced himself; for though he possessed a very considerable property, situated in different parts of that kingdom, he could pledge his honor, that he had not received a shilling rent for the last two years; and the case was the same with several noble lords and gentlemen of his acquaintance.

It might become a question of a serious and difficult nature, what indulgence ought to be given, supposing this country were inclined to recede. He believed the general ideas, that prevailed last year, would be proper to be again taken up. The woollen manufacture, to be sure, was in some measure sacred; but, in his present indigested ideas, all he could venture to specify was, a full exportation of all cotton goods, mixed and unmixed. His lordship threw out several other hints; said that the question would be, whether Ireland should have a little indulgence, or the Irish and the manufactures of linen, woollen, &c. be transferred to America. It is true, Manchester might suffer; but a nation composed of a loyal, brave, though an oppressed people, was not to be sacrificed to one single town, or the monopoly of a particular district. He hoped, however, there would be no cause for rivalry. One thing on the whole was certain, that whatever benefited or en-

* 10 Eng. Debates, p. 176.

riched Ireland, or tended to give employment to her wretched inhabitants, would be beneficially felt in this kingdom, to whom, as the center, every advantage Ireland experienced Great Britain must profit by.

Lord Beauchamp confirmed the greater part of the noble lord's arguments, painted the distresses of the Irish in lively colours, and gave the house to understand, that a general exportation, except in the articles of woollens, was expected, or meant to be procured.

Lord Newhaven said, that he would move for a general exportation, woollens excepted; and an importation of several commodities enumerated in the course of the last session.

* As soon as the British parliament had met after the holidays, the same noble earl, who was ever steadfast to the real welfare of his country, on the 19th of January, 1779, moved in the British House of Commons, that an account be laid before the house of all exports, and their amount; of merchandize exported from this country to Ireland; and of all imports from Ireland into this kingdom, from the 1st of January, 1778, to the 1st of January, 1779; which motion was agreed to. His lordship explained his meaning for making this motion, by saying, that it was preparatory to the motion for leave to bring in a bill for granting further relief to the trade of Ireland, notice of which he had given before the holidays. He represented the inhabitants of Ireland as being in a famishing condition, and appealed to two noble lords in administration for the truth of his assertion; and he said, that a secretary of the viceroy was just come over, expressly to lay before government the deplorable state of Ireland: he referred to a letter he had received from Dr. Woodward, Dean of Clogher, mentioning, that all had been done, that could be effected by contribution, to relieve the starving poor, but in vain; employment alone could remedy the evil. He appealed to the noble lord at the head of the treasury for the truth of another observation; that the revenue of Ireland is so diminished, that it now yields little more than the expences of its civil establishment. These facts pointed out the necessity, as we had lost our trade with our American colonies, of taking care we did not lose Ireland next, by a separation or invasion. If our impolitic restraints were not removed from the trade of that country, we should lose our best customers for many articles of merchandize. He said, good estates in Ireland were offered to sale at sixteen and fourteen years purchase, yet no buyers appeared even at that low price.

* 10 Deb. Parl. p. 218.

He expected to be opposed by those, who had particular interests to support against the national welfare intended by his bill; but he remembered many similar oppositions to bills, which had, after they had passed, and the good effects had been experienced, been highly applauded; for instance, the bill for importing bar iron from America, was strongly opposed by the parties concerned in mines and iron works at home; yet it was found that Great Britain did not produce a tenth part of the iron wanted for consumption. He declared himself as warm a friend to England as any man in the house; and if he did not think it was promoting the interest of this country to grant Ireland relief to her trade, he would not move it; neither did he ever choose to move any thing in that house which he was not sure of carrying. He concluded with a kind of prophecy, that if Ireland were not assisted in her commerce, it might become a question there to vote a sum for the support of that country, from the insufficiency of its own revenue.

The establishment of a cotton manufactory, and leave to export the manufacture to Great Britain; with leave to export and import to and from America, the West-Indies, and Africa, were the points he had in contemplation; and he concluded with saying, if all he wished could not be obtained, he must be satisfied with a part.

Colonel Stanley desired Lord Nugent would give as long notice as possible of the day he should bring in his bill, that his constituents might be early apprized of it; as not only the town of Manchester, but all the manufacturing towns in the country, concerned in the cotton branches, were alarmed.

Sir George Yonge intreated the noble earl not to hurry on a bill of such consequence, but wait for better information. He could not consider the state of Ireland in the melancholy light it had been described; but if the people really were starving, it was not owing to the trade laws of this country, but to mismanagement in their own internal police, and desired that might be enquired into.

Mr. T. Townshend reminded the house, that by a narrow policy America had been lost, and bid them beware of losing Ireland. He declared himself impartial, not having any property in Ireland; yet he considered his property in England as dependent in a great measure on the prosperity of Ireland; and, as a member of the community, he wished to remove those partial restraints on her trade, which certainly were the cause of her distresses.

* Again on the 10th of March, 1779, did the distressed situation of Ireland come before the British House of Commons, when Lord Newhaven hoped, as a spirit of toleration and liberality had gone forth in the house, that the relief he had proposed for Ireland, would not want for success. His Lordship stated, that on an average of the last ten years, the exports from England to Ireland were decreased about six hundred thousand pounds; and in the two last years they had decreased seven hundred and sixteen thousand pounds: that the exports from Ireland in the two last years had decreased one hundred and fifty-five thousand pounds; on which decrease seventy-five thousand pounds were on the staple of linen; that the exports from England into Ireland, on an average of ten years, were two millions fifty-seven thousand pounds; that the imports from Ireland into England were but thirteen hundred and fifty-three thousand pounds; so that the balance in favour of England, on an average of ten years, was seven hundred and four thousand pounds sterling per annum, which, multiplied by the ten years, plainly shewed that England gained by the trade of Ireland alone seven millions and forty thousand pounds in that time.

He moved that the house should, on the 19th, resolve itself into a committee, to take into consideration the acts of parliament relating to the allowing the importation of sugars from the West-Indies into Ireland.

Governor Pownall said, he was not against the motion for relieving Ireland; he did not object to it on that ground; but said, the motion would raise alarms here, and do no good to Ireland; therefore he wished to see the motion extended to something that would give a real and substantial relief to Ireland, and that too upon the ground and principle of system.

Sir George Yonge, Sir Philip Jennings Clerke, Mr. Cruger, &c. were against the proposition, on the ground, that though Ireland may have suffered in her trade since the American war, yet this nation had suffered infinitely more; if she had lost five thousand pounds a year, England had lost almost as many millions; and, that upon the whole, to give Ireland any further indulgences, than those she at present enjoyed, might very possibly endanger this kingdom or the sovereignty she held over her.

Mr. T. Townshend, Lord Nugent, Lord Beauchamp, General Conway, Mr. Welbore Ellis, &c. contended for the propriety, the expediency, and the po-

* 11 Parl. Debates, p. 108.

licy of the motion, maintaining that it was a specific simple proposition, and could not be of any one disadvantage to Great Britain; besides, that the prosperity of Ireland was too essential to this country, not to give her every encouragement that could possibly be given.

The question was then put: for it, 47---against it, 42.

In melancholy confirmation of the representations of Ireland, so frequently and so warmly made by the Earl of Nugent, and others, on the 18th of March, 1779, Lord North communicated to the commons the following message from his majesty.*

(" GEORGE R.)

" HIS majesty having received information from the Earl
 " of Buckinghamshire, his lieutenant-general, and general governor of his
 " kingdom of Ireland, that the revenues of that kingdom have of late
 " proved greatly deficient and inadequate to the purposes for, which they
 " were granted; and his majesty, moved with concern and compassion for the
 " distresses of his loyal and faithful subjects of that kingdom; and being anxious, that some immediate and effectual relief should be afforded to them,
 " thinks it necessary to recommend to the consideration of this house, whether it may not be proper, in the present circumstances of Ireland, that the
 " whole charge of the regiments on the Irish establishment, now serving out
 " of that kingdom, should be paid by Great Britain. *G. R.*"

Lord North moved, that his majesty's message be referred to the consideration of the committee of supply, which was agreed to: then, upon the order of the day for going into a committee on the importation of sugars into Ireland.

Sir George Yonge objected to the speaker's leaving the chair, because the bill would produce consequences no less fatal to this country, than the total loss of the colony trade. There were annually, he said, imported into Great Britain, 150,000 hogheads of sugar, valued at 3,750,000*l.* annually. The whole imports from the West-Indies, were 4,500,000*l.* annually; and that the trade employed 500 ships, of 100,000 tons burthen, and 10,000 seamen. The duties arising from the trade were upwards of 400,000*l.* a year; and that this great sum, he said, we were dashing away by the present bill: he objected to it, and therefore would vote against the speaker's leaving the chair.

* 11 Parl. Debates, p. 177.

Mr. Sawbridge was against all the monopolies of trade, and commercial interdictions; he declared there was trade enough for every nation on earth, if all impolitic restrictions were repealed; and asserted, that no nation, nor corporate body, nor individual, had a right to deprive another of the benefit of manufactures, trade, and commerce.

Mr. Burke declared, that if the mover of the bill meant to modify it in any degree, he would give his vote against going into a committee, for he would not enter into any composition; it was for the interest of Great Britain to throw open even the woollen trade to Ireland; and if it were not done now voluntarily, the French would soon oblige us to do it.

General Conway and Sir Cecil Wray wished for a full enquiry into the distresses of Ireland, and a mature deliberation on the means of applying general relief.

On the 26th of May Lord Beauchamp moved, that an humble address be presented to his majesty, praying, that he would be graciously pleased to order accounts to be laid before parliament of the state of the trade and commerce of Ireland.

His lordship prefaced his motion with a very sensible speech on the wretched state of Ireland, and the necessity of holding out a promise to the Irish, that the commercial laws, of which they complained, should be revised by parliament, and such redress granted to them as Great Britain was able to bestow.

Lord North declared he would promote every possible enquiry, and obtain all the information in his power; but as to producing a plan for settling matters in a commercial line to the satisfaction of both countries, it was too bold an undertaking for him, since it was hard to say what would satisfy Ireland, and that England could grant, consistent with her own interest. He thought the complaints of Ireland rather ill timed, as more had been done for that kingdom within these three or four years than for thirty years before.

Mr. Conolly was of a different opinion; he attributed the present distresses of Ireland to the wretched system of government carried on by the present ministry, by whose means the debts of that kingdom had been increased from about 600,000*l.* to near a million and a half.

Mr. James Luttrell did not disapprove of the motion, as it had first been
made

made in the other house by his noble friend the Marquis of Rockingham;* but in that house he could not but consider it as a kind of ministerial compromise, a lame apology for doing nothing for the relief of Ireland that session. He asked why the parliament of Ireland had not been called together in time, to deliberate, and send over their state of the nation to the British parliament earlier in the session? Why had not the noble lord moved that address months ago? It was then too late, and the loss of Ireland might probably follow that of America.

Sir George Yonge desired not to be thought inconsistent in voting for the address, as the most likely method of getting at the true state of the matter; but he thought the state of the Irish revenue should have been added: that was incumbent on the noble lord at the head of the treasury; but he doubted if the Irish would have much hopes of a ministry, who had reduced landed estates in England from 33 to 25 years purchase, and funded property from 89 to 60. The address was agreed to.

The warm part and interest, which the British senate took in the concerns of Ireland did credit to her liberal sympathy for her sister kingdom, and justified the claims, which Ireland urged. The opinions of the illustrious characters, which then stood most prominently forward in favor of that kingdom will be handed down to the latest posterity as testimonies of the exemplary loyalty of the Irish nation under the severest trials and provocations. On the 2d of June, 1779, Lord Shelburne (now Marquis of Lansdowne) stated to the British House of Peers the following proposition relative to the state of Ireland:† That an humble address should be presented to his majesty, requesting that his majesty would be graciously pleased to order to be laid before that house, an account of such steps as had been taken in consequence of the address of that house of the 11th of May, and of his majesty's most gracious answer thereto; and humbly to recommend to his majesty, if his royal prerogative, as vested in his majesty by the constitution, be not adequate to the relief of the acknowledged distressed and impoverished state of his majesty's loyal and well-deserving subjects of Ireland, that he would be pleased

* The motion of the Marquis of Rockingham, to which Mr. James Luttrell alluded, was made in the British House of Peers on the 11th of May, 1779, and occasioned the most interesting debates upon the affairs of Ireland till then ever known in that house. It exhibits a most melancholy view of the situation of that country, and is given in the Appendix, No. LXV.

† 13 Parl. Deb. p. 387.

to continue the parliament of that kingdom, as then assembled, and give immediate orders for calling forthwith his parliament of Ireland, that their just complaints might be fully considered and remedied without delay, that the wonted union of affection might be preserved between both kingdoms, always desirable, but in the present situation of public affairs, absolutely essential and indispensable to the preservation and welfare of both, and that the united strength of Great Britain and Ireland might in due time, and with due effect, be exercised under the blessing of God against the common enemy.

This proposition the noble earl prefaced with a speech of great political information and unusual energy and brilliancy. He was severe upon the ministers, to whose account he laid the distressed situation of his country, and on that ground avowedly was the first part of the proposition opposed; Lord Weymouth* “disapproving of the proposition, because it contained an implied “censure on government, which they by no means deserved.” Amongst a great variety of political topics, which the noble earl’s speech embraced, not immediately relevant to the state of Ireland, we gather from the mouth of that great statesman several most valuable documents illustrative of the history of that critical period. His financial view of that kingdom was, that in the year 1750 the public debt of Ireland was under half a million, that since that she had contracted 1,000,000*l.* funded, and 600,000*l.* unfunded, besides the 300,000*l.* borrowed upon public faith, for which no taxes had been yet appropriated; so that the whole debt amounted to full three millions in twenty years; fifteen of which contained a period of a peace establishment, and, of course, a peace expenditure: but contrary to every idea of good government, and national œconomy, by much the greater part of the debt was contracted during the latter period, till at length the new taxes were unequal to the annual outgoings, and at that time the receipts at the Irish treasury were short to the amount of 300,000*l.* per annum.

The internal critical state of the country at that moment next drew his attention, which he urged, had been grossly overlooked by the king’s ministers, and he expressed his astonishment at hearing from the noble lord at the head of the council (Gower, now Marquis of Stafford) that nothing could be done for Ireland till the next session. Situated, said his lordship, as

* 13 Parl. Deb. p. 390.

affairs were, it would be dangerous to delay the business; that the necessities of Ireland called for immediate relief, and that it would be absurdity in the extreme to let the Irish remain unsatisfied for seven or eight months longer. He considered the matter in a variety of different points of view, and said, that leaving the whole to rest upon a resolution so vague and indeterminate as that, which had been carried in both houses, and which, in fact, prescribed no specific line of procedure, might be constrained into an intention to do nothing; but a mere design to get over the summer, to set the war upon its legs, and then to suffer the distresses of Ireland to remain unattended to, and unredressed. When the amendment to the noble marquis's motion was first proposed, he declared he was very far from having this opinion of it himself; on the contrary, he thought that ministry shewed rather more readiness than became them, and seemed willing to do too much; he appealed to their lordships in whose memory he stood, whether he had not on that day been the single peer to cry out, *doucement*, whether he had not stood up alone and said, "Gently, take care what you do, don't promise too much, for fear you should not be able to perform all that you say you'll do; if your performance fall short of your promise, depend upon it you will do more mischief than good, and exasperate Ireland more than ever." The resolution carried on that day had already got over to Ireland, and there would certainly be two opinions upon it, the severe and cautious men, naturally prone to doubt, would say immediately, "This is nothing, this is mere fallacy, government being afraid of us just now, have done this with a view to quiet us for the present, and when they have at all surmounted the difficulties in which their affairs are involved, they will, as usual, turn a deaf ear to our complaints, it being evidently their intention to give us no relief, if they can possibly avoid it." Another very different opinion would doubtless prevail with those who were inclined to think better of government and this country: they would say, "Stop, don't go so fast, read the resolution again; good God! was it not carried unanimously in both houses of parliament? Did England ever do so much for us before? Only see the drift of it, see the wording of it, and consider, that the whole has been done in the most kind and flattering manner possible." His lordship placed these two opinions in contrast, and appealed to the house, whether in common policy and prudence it would not be right to encourage and support the latter, and give as little room as possible to warrant and countenance the former? What would

would prove most faithful to this, he declared, was the language of a noble lord in another place. The premier had said, that no individual could form a plan for the relief of Ireland; that it was out of his power; that next session the proper accounts should be laid before both the English and Irish parliaments, and the business must be done by them; but that he did not think the complaints of Ireland well timed, for that this country had done more for her within the last three years than had been done for her nine years before. His lordship said he had turned this language again and again in his mind, and he was yet at a loss to divine the meaning of the noble lord. He was sure, however, it would give most serious alarm to the other kingdom, that they would construe it as an indication, that nothing would be done for them; that the two parliaments would be suffered to rub against each other, prejudice and jealousy to meet prejudice and jealousy, and that the minister, whose essential duty it was to reconcile all differences of opinion between the two countries, to smooth the minds of those, who were inclined to be ruffled, and to pacify and quiet the uneasy, only took upon himself the office of clearing the stage, and letting them dispute it out among themselves. He called upon the house to recollect, that the American war had commenced upon less provocation than this country had given Ireland. The simple idea of the right of taxation had caused it. Let their lordships reflect, that from the time of the remonstrances of America, to her declaration of independency, was only eleven months: let them look at the language of Ireland at present, they would find it much higher, than that of America had been at the time he mentioned; let them consider, that in every point of view, Ireland stood more forward now than America had done immediately previous to the origin of the war, and let them ask themselves, if it were wise to suffer Ireland to remain in discontent for seven months longer?

True it is, that the Marquis of Lansdowne, as well as the late Earl Nugent, the Marquis of Hertford, and several other great personages, who took a lead in the debates upon the Irish concerns, had considerable interest in that kingdom; a circumstance, which must have drawn their observation the more closely to the real interests of that country, without abandoning those of Great Britain, in which they had as great or larger stakes: but their opinions, however interested they may have been, were in perfect unison with those of the greatest statesmen and most constitutional characters of that day in both our houses of parliament, who had no personal interest in or concerns with

with Ireland. Thus the late Lord Camden doubted much, whether the learned lord on the woolstack understood the motion he had so fully commented on. Circumstances had altered since the last day; the people of Ireland were in a ferment, he would not say ripe for insurrection. Something had been promised, nothing had been done.. The language of ministers, particularly of the noble lord in the other house, at the head of the finances, is, "nothing can be done in time." The learned lord confesses it, though he has not used the very words. What then will be the probable result of such a conduct? The patient dies, while the physicians are consulting what to prescribe: the people, in the last stage of anguish and despair, call for immediate redress. What, on the other hand, does the present motion ultimately tend to? That the parliament of Great Britain, instead of empty, general promises, a hundred times violated, and on which, of course, Ireland cannot depend, call for some substantial proof of British or ministerial sincerity. "Give us some one instance, to shew that you are sincere and in earnest," say the people of Ireland. "Call the parliament of both kingdoms, to consult and deliberate in their respective assemblies," echoes the address, "in order to come to some specific proposition, before it be too late; or if that be thought too much," says the address, "let us make some progress; let the necessary documents on both sides the water be procured; and let us, at a season of more leisure, proceed upon some certain specific propositions, intended as the basis of all future proceedings, by which means Great Britain may determine on the great line, though not the detail, of her intended concessions; and Ireland may know what she will have good reasonable grounds to expect."

The late Duke of Manchester, on this occasion, evinced a most remarkable penetration into the continental politics of that day; and were his speech now read without a date, it would be supposed to have been spoken rather at the close of, than ten years previous to the French revolution. His Grace said, he had the highest opinion of the loyalty of the people of Ireland, in case the French landed as an enemy come to conquer. He had no fears, that the 12,000 men now illegally armed in that country, would join with a foreign invader: by every thing he could learn, they were too brave, too loyal, and too much attached to sentiments of *humanity*, ever to tamely submit to a foreign yoke, much less assist in forging and riveting their own chains. The alarm created in his mind was of a very different nature. It was the new adopted

policy of France, not to appear as an invader of the rights and liberties of others, but the protector of them, the friend of human kind and of the public, at least, of municipal liberty. The French creed, respecting the dependencies of the British empire, was independency, freedom, no restrictive laws upon trade, an exercise of natural rights, restrained only by law and liberal policy. On this system, the great outline of French politics had been newly modelled; and he had certain information, that French emissaries had been in Ireland for some time past, endeavouring to alienate the minds of the people there, as they had so effectually done in America.

Whatever the real intentions of France might be, if she should effect the landing of a considerable force in that kingdom, he had every reason to be persuaded that it would not act as an enemy, however it might be received; in his opinion, therefore, it was indispensably necessary for that house and parliament to adopt such speedy measures as might promise to defeat impressions, which, if not timely counteracted, might, from circumstances of actual misery, and the despair arising from it, be productive of the most fatal consequences.

Of all the lords who took a part in this debate, Lord Townshend was certainly the best qualified to speak the most pointedly, fairly, and instructively, upon the state of Ireland at that critical period. His lordship spoke in favour of the motion; described the disposition of the people of Ireland; the sentiments of the established church, the dissenters, and the Roman catholics; the state of the army; the number of people illegally armed there; the face of the country; its rivers, fortresses, &c.: from all which he shewed the imminent danger of the alternative, of the French landing there in a hostile or friendly manner.

He then drew a comparison between our conduct towards Ireland and America. The first, loyal, affectionate, patient under the greatest miseries and oppressions; the latter, factious, rebellious, ungrateful, and perfidious, in the midst of plenty, and after receiving a series of accumulated favours.

What was our conduct towards them? They only sue in the most humble and dutiful manner, to loosen the fetters that gall them, and rankle by their intolerable weight, and eat to the very bone. What is our answer? Break your chains if you can, or perish. What is the answer to the haughty and insolent demands of the traiterous Americans, leagued with an inveterate and ambitious enemy for our total destruction; who have already drawn so much
of

of our best blood, and have been the cause of our spending so many millions of our treasure, wrung from the very vitals of the people? You shall be free; you shall pay no taxes; we will not interfere with your internal government; you shall be bound by no restrictions on your trade and commerce.

After contrasting those circumstances in a very pointed manner, he shewed the impolicy and injustice of delaying to grant with a good grace, what, if refused, must be the consequence of even an accommodation with America; namely, that after the conclusion of the present war, the people of Ireland would migrate to America in pursuit of a free trade, and a milder and happier constitution of government; that they would carry thither their manufactures which wanted nothing, but the circumstances he had mentioned to bring them to the utmost perfection; that of course, the only single question was, whether trade and commerce, a fruitful soil, and numerous inhabitants, bound to this country by every motive of affection and interest, were preferable to the same riches, industry, and effective strength, just as much in our power to every good or wise purpose, as if they resided within the island of Great Britain.

His lordship then entered into particulars, and deprecated the consequences which, he foresaw, would immediately follow a refusal on our part. Supposing we were able to spare such a force as might promise to keep the people there in awe, twelve or fifteen thousand men encamped in the southern, center, or northern part of that kingdom; if, for instance, the importation of all commodities of British growth or manufacture, should be prohibited; or suppose, on the other hand, that the people should resolve not to permit the exportation of beef or butter, what would our manufacturers do in one instance; what would our fleets and distant armies do in the other, if a general defection among the body of the people, even among the very magistrates, should prevail? Why, while your army in the north may be employed in quelling insurrections there, your imports and exports would be suspended: or while you are favoring, by a military aid, the export of provisions in the south, your import in the north and centre would be stopped; and so *vice versa*.*

* It is difficult to reconcile this liberal, patriotic, and politic speech of the noble lord, with his conduct towards Ireland, when the office of chief governor of that kingdom afforded the means, and imposed the duty upon him of doing that good to Ireland, which he now warmly recommended to others.

Lord Shelburne, after several of the ministerial party, and particularly Lord Chancellor (Thurlow,) had opposed the proposition on the ground of informality, took it off the table, and moved it regularly, when the question being put, it was negatived by a majority of 61 against 32.

No further debate took place during that session in the British parliament concerning the affairs of Ireland. The ministers of that day were too fatally addicted to their pernicious system of indolence and procrastination. They had before them the example of America, now triumphant in their own successes, and supported by the whole house of Bourbon. These alarming circumstances were constantly brought before their eyes in the warmest colouring, by an opposition of the greatest weight, numbers, and talents, ever combined in the British senate. Ministers, however, remitted the great objects of Irish grievances to the next session, upon the flimsy pretexts of want of information upon the subject matter of them, and a fear of a rebellion in the trading towns of Lancashire, in case the British parliament should pass a law, that might abridge the profits of their trade with Ireland, or the colonies. They passed several unimportant laws* during the session, which had no other effect, than to create contempt or disgust for the government, which they conceived was attempting to play them off with delusive promise and delay. Whilst the British parliament was sitting, the feelings of the Irish nation were suspended by the hopes of relief; but when they found, that the British ministry had abandoned their cause, they were sorely exasperated, and their discontents became formidably alarming. Associations were entered into against the importation of British commodities, and for the encouragement of Irish manu-

* Such was the 18th of Geo. III. c. 45. For continuing the bounty on the importation of flax seed.—Such the 18th of George III. c. 55. For permitting the exportation of certain goods directly from Ireland into any British plantation in America, or any British settlement on the coast of Africa, and for further encouraging the fisheries and navigation of Ireland; by which it was also provided, that from the 24th of June, 1778, all ships built in Ireland, and owned by his majesty's European subjects, should be deemed British built. Such the 18th of George III. c. 61. For repealing so much of two acts of Queen Ann, concerning the forfeited estates in Ireland being sold or set to Protestants, as far as they prohibited, disqualified, or disabled Papists from taking or enjoying any right or interest therein, or which inflicted any penalties on persons making or accepting any interest therein. Such the 19th of George III. c. 83. For repealing several acts, that prohibited the growth and produce of tobacco in Ireland; and to permit the importation of it into Great Britain upon the like duties as from America. Such the 19th of George III. c. 37. For granting a bounty on the importation of hemp into Great Britain from Ireland for a limited time.

factures. At an assembly holden at the Tholsel of the city of Dublin, the following resolutions were agreed to, viz.

“ *Resolved*, That the unjust, illiberal, and impolitic opposition given by
“ many self-interested people of Great Britain, to the proposed encourage-
“ ment of the trade and commerce of this kingdom, originated in avarice
“ and ingratitude.

“ *Resolved*, That we will not directly, or indirectly, import or use any
“ goods or wares, the produce or manufactures of Great Britain, which can
“ be produced or manufactured in this kingdom, till an enlightened policy,
“ founded on principles of justice, shall appear to actuate the inhabitants of
“ certain manufacturing towns of Great Britain, who have taken so active a
“ part in opposing the regulations proposed in favour of the trade of Ire-
“ land; and till they appear to entertain sentiments of respect and affection for
“ their fellow subjects of this kingdom.”*

Shortly after the assizes at Waterford, the high sheriff, grand jury, and a number of the most respectable inhabitants, assembled for the purpose of taking into consideration the ruinous state of the trade and manufactures, and the alarming decline in the value of the staple commodities of the kingdom;

* During this century, said the Right Honourable Hely Hutchinson, (Comm. Ref. p. 215,) Ireland has been, without exaggeration, a mine of wealth to England, far beyond what any calculation has yet made it. When poor and thinly inhabited, she was an expence and a burden to England; when she had acquired some proportion of riches, and grew more numerous, she was one of the principal sources of her wealth. When she becomes poor again, those advantages are greatly diminished. The exports from Great Britain to Ireland, in 1778, were less than the medium value of the four preceding years in a sum of 634,444*l.* 3*s.*; and in the year 1779, Great Britain is obliged, partly at her own expence, to defend this country, and for that purpose has generously bestowed out of her own exchequer a large sum of money. Those facts demonstrate, that the poverty of Ireland ever has been a drain, and her riches an influx of wealth to England, to which the greater part of it will ever flow, and it imports not to that country through what channel: but the source must be cleared from obstructions; or the stream cannot continue to flow.

Such a liberal system would increase the wealth of this kingdom, by means that would strengthen the hands of government, and promote the happiness of the people. Ireland would then be able to contribute largely to the support of the British empire, not only from the increase of her wealth, but from the more equal distribution of it into a greater number of hands among the various orders of the community. The present inability of Ireland arises principally from this circumstance, that her lower and middle classes have little or no property, and are not able, to any considerable amount, either to pay taxes, or to consume those commodities that are the usual subjects of them; and this has been the consequence of the laws which prevent trade, and discourage manufactures.

and

and looking upon it as an indispensable duty that they owed their country and themselves, to restrain, by every means in their power, these growing evils, they came to, and signed the following resolutions :

“ *Resolved*, That we, our families, and all, whom we can influence, shall
 “ from this day, wear and make use of the manufactures of this country, and
 “ this country only, until such time as all partial restrictions on our trade,
 “ imposed by the illiberal and contracted policy of our sister kingdom, be re-
 “ moved ; but if in consequence of this our resolution, the manufacturers
 “ (whose interest we have more immediately under consideration) should act
 “ fraudulently, or combine to impose upon the public, we shall hold our-
 “ selves no longer bound to countenance and support them.

“ *Resolved*, That we will not deal with any merchant or shopkeeper, who
 “ shall, at any time hereafter, be detected in imposing any foreign manufac-
 “ ture as the manufacture of this country.”

Resolutions of this kind became general, in consequence of which efforts, the manufactures of Ireland began to revive, and the demand for British goods in a great measure decreased ; a circumstance which tended to produce a disposition in Great Britain to attend to the complaints of that country, different indeed from that, which Ireland had hitherto experienced.

It is more matter of calculation, than of reasoning, to ascertain the grounds, which Ireland had at this period to press Great Britain to support her in her struggle for commercial freedom. The annual balance of exports and imports returned from the entries in the different custom-houses in favor of Ireland, on all her trade with the whole world, in every year from 1768 to 1778, when compared with the remittances made from Ireland to England in each of those years, was as follows : the balance in favor of Ireland on her general trade by those returns was in 1776, 606,190*l.* 11*s.* 0*d.* ; in 1777, 24,203*l.* 3*s.* 10*d.* ; in 1778, 386,384*l.* 5*s.* 7*d.* ; and taken at a medium of eleven years from 1768 to 1778 both inclusive, amounted to the sum of 605,083*l.* 7*s.* 5*d.* ; the sums remitted from Ireland to Great Britain for rents, interest of money, pensions, salaries, and profits of offices, amounted at the lowest computation from 1768 to 1773, to 100,000*l.* yearly ; and from 1773, when the tontines were introduced, from which period large sums were borrowed from England, those remittances were considerably increased, and in 1777 they amounted to no less than between twelve and thirteen thousand pounds yearly. Ireland, therefore, at that period, paid to Great Britain
 double

double the sum, that she collected from the whole world in all the trade, which Great Britain allowed her.

We find no historical document to account for the policy of not convening the parliament of Ireland in the pressure of their national distress: the ministry in Great Britain was frequently called upon by the opposition to account for this extraordinary conduct, but no answer was ever given to the summons. It now appears unquestionable, that the length of the recess, coupled with the peculiar circumstances of Ireland's failing in their expected redress from the refusal of the British parliament, and the want of an Irish parliament to apply to, gave rise to the exertions of those native energies, to which an oppressed and injured people never fails in extremity to resort. During this recess the system of associating and volunteering took its rise, and had made considerable progress* ere the parliament met on the 12th of October,

* The progress of the volunteers during the recess of the Irish parliament in 1779 is thus described by one of the most prominent of that corps in his History of Irish Affairs from the 12th of October, 1779, to the 15th of November, 1782, by *Francis Dobbs, Esq.* p. 36. "An expedient free trade and the fallacy of it was soon understood. The plain and simple doctrine, that we could not be free, if any power on earth could make laws to bind us, save our king, lords, and commons, quickly prevailed. This became the sentiment of almost every man. It could not be openly, but it was insidiously attacked. These attacks raised many powerful advocates for Irish liberty. The public mind became enlightened; and it was in vain, that the supporters of administration pressed them to attend to their free trade, and relinquish their freedom. With their information, the power of the people was also increasing. A variety of causes all tended to add to the volunteers. The gentlemen who had hitherto taken the most active part, were mostly of what is called the country party. Government not able to suppress, wished its supporters also volunteers. On this principle many new corps were raised, differing much in political sentiment, but who were to become equally useful to their country. Another cause operated strongly: it became highly fashionable. Volunteer rank was an object of ambition, and it was considered as the most glorious destination of a gentleman, to be at the head of a well-appointed corps. Among the lower orders of men, the smartness of those, who had enrolled themselves became an object of envy and emulation. The idea of glory, which attended it, also had its weight; and every able young man felt ashamed, that he was not amongst the guardians of his country. The fair also, materially served the volunteer cause. Countrymen from being slovenly in their dress, and awkward in their manners, became neat in their persons, and comparatively polished and refined. They were also to be the protectors of their mistresses, and obtained from the softer sex in return an envied precedence. In short, these various causes operated so powerfully, that almost every man who could, became a volunteer. But the volunteers, though powerful, had no fixed object; no bond of union; no communication. Detached in separate companies, they as yet wanted that con-

"nexion,

October, 1779. On this occasion the lord lieutenant in his speech took notice of the general state of affairs in the following words:† “ At a time when
 “ the trade and commerce of this kingdom are in a more particular manner
 “ the objects of public attention, it were to be wished, that the general
 “ tranquillity, ever desirable, had been restored, so as to have left you en-
 “ tirely at leisure to deliberate on those great and important subjects; but
 “ I am persuaded you will not permit any interests, however dear to you, to
 “ impede your efforts, or disturb your unanimity at this most important pe-
 “ riod; and I have it expressly in command from his majesty to assure you,
 “ that the cares and solitudes inseparable from a state of hostility have not
 “ prevented him from turning his royal mind to the interests and distresses
 “ of this kingdom with the most affectionate concern, of which, the money
 “ remitted to this country for its defence, when England had every reason
 “ to apprehend a most formidable and immediate attack, affords a convincing
 “ proof. Anxious for the happiness of his people, his majesty will most
 “ cheerfully co-operate with his parliaments in such measures as may pro-
 “ mote the common interests of all his people.

“ It is with great concern I have to inform you, that on account of the ex-
 “ traordinary decline of the revenues, the very liberal supplies of the last ses-
 “ sion have proved inadequate to the exigencies of government, so that,
 “ contrary to my most sanguine expectations and most earnest endeavours,
 “ there is a considerable arrear now to be provided for.

“ The united efforts and great military preparations of the house of Bour-
 “ bon seem only to have roused the courage, and called forth the exertions of
 “ his majesty’s brave and loyal subjects of this kingdom; and I have only
 “ to lament, that the exhausted state of the treasury has hitherto put it out
 “ of my power to give those exertions the most extensive and constitutional
 “ operation, by carrying the militia law into execution.”

As soon as the lord lieutenant’s speech had been read in the House of Com-
 mons, Sir Robert Tilson Dean arose, and after an exordium in a high strain
 of panegyric on the lord lieutenant’s administration, and the good disposi-

“ tion, which alone could make them truly beneficial.” This gentleman (he was a barrister)
 about this time wrote a letter to Lord North, on the crisis of affairs in Ireland, which is to be seen
 in the Appendix, No. LXVI. it was written in the spur of the moment, and is a faithful index of
 the general spirit, which had then seized the Irish nation.

† 10 Journ. Com. p. 11.

tions of his majesty and the British ministry toward that kingdom, moved for an address to the throne, expressing in the warmest terms the grateful sense the house entertained of those dispositions, and, in the usual language of these addresses, echoing the speech. The motion was seconded by Mr. R. H. Hutchinson, who said this was a great, critical, and important period, in which the declarations of the king, the best of princes, and the British legislature, left no room to doubt but every good was designed for Ireland; that his majesty's speech in the British house, at the close of the last session, was the harbinger of good tidings and great events, which was on that day confirmed by the lord lieutenant's speech, who said he had it in command to declare his wish to co-operate in such measures, as might best promote their interests, which, in the hands of their administration, must be well managed, as their designs were pure; that under such an administration, the general benefit of the empire would be attended to, above all partial and selfish considerations; and the veil of calumny, which had so long traduced them, would disappear, and the factious calumniators, touched with truth, as with the spear of Ithuriel, would start into shape. What thanks were due to the chief governor, who so respectfully mentioned the societies of armed patriots throughout the kingdom. What must their opinion be of a chief governor, who spoke so honorably of that great bulwark of constitutional liberty, a national militia? Though their distresses were great, from them prosperous days might spring.

Mr. Grattan said, the speech contained nothing explicit, nothing satisfactory; it meant to quiet the minds of the people, without any declaration whatever. After his majesty had been addressed by his Irish subjects for a free export trade, did such addresses require no answer? Were the people of Ireland undeserving the notice of the British ministers? Was there no respect for the interests of these kingdoms among the servants of the crown on that side of the water? Were not these servants of the crown also representatives of the people? Why not then speak out? Were their distresses of so private a nature, that they must not be mentioned? Here he gave an eloquent and pathetic picture of the miserable condition of the kingdom. It was plain they had nothing to expect, since applications from the people, backed even by the officers of the crown, were not attended to. Ireland then had nothing to depend upon but her own spirit; no redress of grievances, no extension of trade, but from the efforts of her people! and would it be politic, would it

be safe, here or elsewhere, to oppose these efforts? Why does not the address also speak out? Why had they less spirit than the people? Should the commons of Ireland shew less spirit than the most insignificant corporation? The distresses of Ireland were twofold, the beggary of the people, and the bankruptcy of the state. The kingdom was ruined by a balance of trade against her for so many years, and the drain of absentees; the prevailing spirit of associations was but a temporary expedient, and something more effectual must be done.

The bankruptcy of the state was the consequence of a system of boundless prodigality, profligacy, and violence. The peace establishment of that poor country amounted to one-sixth of that of England; and what proportion was there in their means? What was that establishment? Infamous pensions to infamous men! (Here he launched into personalities.) And would those men, whom they paid, vote against an extension of their trade? Vote against the means of supporting them? To what pass had administration reduced that kingdom! To be insulted with their poverty in the speech from the throne; to be told of their beggary; that the officers of the crown there had begged 50,000*l.* from England, or the troops could not have marched into camp; when it was known, that it was that profligacy, that has unnerved the arm of government, and made the sword of defence fall in its hands.

He then moved an amendment to the address, to be inserted in the following words:

“That we beseech your majesty to believe, that it is with the utmost reluctance we are constrained to approach you on the present occasion; but the constant drain to supply absentees, and the unfortunate prohibition of our trade, have caused such calamity, that the natural support of our country has decayed, and our manufactures are dying away for want. Famine stalks hand in hand with hopeless wretchedness, and the only means left to support the expiring trade of this miserable part of your majesty's dominions, is to open a free export trade, and let your Irish subjects enjoy their natural birthright.” Lord Westport seconded Mr. Grattan's motion for the amendment. Mr. Flood considered the address as inexplicit. Sir Henry Cavendish declared he would vote against the amendment, apprehending that this business would be better effected by opening a committee on purpose, or rather following a precedent in the year 1661, when the lords and commons of Ireland appointed

pointed commissioners to attend the king, to supplicate the redress of grievances.

Mr. Ogle reprobated the idea of entering into a committee on the subject of grievances: he was sick, he said, of the mode of trifling with the nation in order to gain time; if they did not mention something in the address, the ministry might again shelter themselves under the old excuse, that truly they did not know what the Irish wanted, as their parliament was silent on the head, and so went on with the old system of duplicity.

Sir Edward Newenham conjured the house, by all they held dear, to re-assume their wonted dignity and power, charged the British ministry with contempt and neglect to the nation, and called on their warmest advocate to deny the assertion; said he perfectly agreed with Mr. Flood, that the address did not go far enough, and that he thought the original address a servile echo to the speech.

The Provost drew a most pathetic picture of the melancholy situation of his native country, declaring, on that question, that no administration should bias him from the welfare of his country.

The Attorney General delivered a studied eulogium on the sensibility of the king, and the humanity of his minister.

The debate now took a new turn; several of the ministerial party declared, that though they thought this business might have come more properly otherwise, yet, that there might be an unanimity, they would not oppose the amendment.

The Rt. Hon. Henry Flood declared for the amendment, and entered largely into a justification of his political conduct, which, he said, had unfortunately been much misrepresented; that the office he held was the unsolicited gift of his sovereign, which he had received with gratitude, and held with honor, that when a time came, that he could no longer do it, he would gladly throw the bracelet into the common cauldron.

Mr. Prime Serjeant (Hussey Burgh) after expatiating on the necessity of immediately laying, in an unequivocal manner, the state of the distresses at the foot of the throne, moved in lieu of the amendment proposed, "that it is not by temporary expedients, but by a free trade alone, that this nation is now to be saved from impending ruin."

The amendment was carried *Nem. Con.* as was also the address to the lord lieutenant.

So crying were the distresses of Ireland at this period, so impotent was the hand of government to relieve them, that the most important change of disposition, sentiment, and action in the people took place under the eye, in defiance and with the acquiescence of government. By the melancholy consequences of the American war, our fleets had become inferior to the combined forces of the enemy: our own coasts were insulted, those of Ireland wholly unprotected: the military establishment had been so drained to recruit the regiments in America, that there were not 5000 forces in that kingdom to defend the sea-ports even from the crews of single vessels. Hence arose the necessity of volunteers arming in defence of their abandoned country. Government affrighted at the situation, into which they had thrown or permitted the country to be thrown, delivered out to the people 16000 stand of arms, thereby encouraging and increasing the number of volunteers, without any stipulation, regulation, or authority for organizing or subjecting them to subordination. The commercial face of the country exhibited a still more desponding view: her vessels taken within sight of her ports: her trade shackled in almost every branch by British restrictions: an embargo on the exports of her provision trade: her linens lying upon their merchants hands: her imports and her absentees swallowing up all her currency: and slight or no returns to supply an exhausted treasury. Wretchedness, desperation, and ruin presented themselves at every point of view, and in the debate upon the speech from the throne once more dissolved the ministerial phalanx, and imperiously called upon the staunchest supporters of the castle interest to quit their ranks, and vote for a *free trade*. The nation rejoiced at this glorious opening of the session, and poured forth its gratitude to parliament; they in their turn paid their tribute of thanks to the volunteers, who it appears now amounted to 42,000 men. It is singular, that this formidable body, armed and organized by no other authority or sanction than the great law of self-defence, was neither charged nor questioned by the Irish government or parliament as to the legality of their commission or delegation. Government had so wasted its vigor, that it could not raise its arm in self-defence. Whilst this debate was going forward, the populace assembled round the parliament house, and with full impunity menaced the members, and demanded oaths of them to support the measure, committing several acts of outrage and intimidation. To this juncture did the late Lord Clare refer in his memorable speech on the Union (p. 29), when he said, "The imbecility
" of

“ of Lord Buckinghamshire’s government had arrayed the volunteer army,
 “ and the address to his majesty voted in 1779 by the commons, demanding
 “ *a free trade as the right of Ireland*,* was followed instantly by a resolution
 “ of thanks to that army for their array.”

The rights of Ireland appear to have been more warmly combated in the British, than in the Irish senate. The Irish parliament had been convened about five weeks before that of Great Britain, in order that the objections pressed by the opposition against the long recess of the Irish parliament, might be done away, and some specific demands might be submitted, by the Irish to the British parliament, which the most plausible of the ministerialists had frequently called for. On the 1st of December, 1779, Lord Shelburne moved in the British House of Lords, that the address of that house, which passed unanimously on the 11th of May last, recommending to his majesty’s most serious consideration the distressed and impoverished state of the loyal and well deserving people of Ireland, and to direct that there be prepared and laid before parliament such particulars, relative to the trade and manufactures of Great Britain and Ireland, as to enable the national wisdom to pursue effectual measures for promoting the common strength, wealth, and commerce of his majesty’s subjects in both kingdoms, and his majesty’s answer of the following day, that he would give directions accordingly: and likewise the motion to address his majesty, which he took the liberty to trouble their lordships with on the 2d of June, re-stating the necessity of giving speedy and effectual relief to Ireland, and offering the full co-operation of that house towards giving relief to that kingdom; and if his royal prerogative, as vested in him by the constitution, were not adequate to administer the wanted relief, that his majesty would be pleased to continue the parliament of this kingdom, and give orders forthwith for calling the parliament of Ireland, that their just complaints might be fully considered, and remedied without delay; which last, his lordship observed, had been negatived by a considerable majority, no

* When the speaker carried up the address to the lord lieutenant, the streets, from the Parliament-house to the Castle, were lined by the Dublin volunteers, commanded by the Duke of Leinster, drawn up in their arms and uniform. The acclamations of the people as he passed along, expressed their wishes and their joy on this very singular occasion: the pulse of the nation beat high. A general expectation of redress was now diffused; at the same time, anxiety and suspicions were entertained, that there was danger of being disappointed, from the same spirit, in which England had hitherto kept that country, in a state of humiliating and oppressive bondage.

less than by 61 to 32; these documents being read at the table, his lordship proceeded to explain the grounds of his intended motion, which would, if carried, amount to a vote of censure upon ministers, whose conduct he most severely reprobated; he then adverted to the consequences, which that conduct drew after it; exactly what every thinking man must have clearly foreseen. Ireland disclaimed any connexion with Great Britain; she instantly put herself into a condition of defence against her foreign enemies; oppressed at one time by England, and at length reduced to a state of calamity and distress, experienced by no other country that ever existed, unless visited by war or famine; and perceiving, that all prospect of justice or relief was in a manner finally closed, and that she must perish, or work out her own salvation, she united as one man to rescue herself from that approaching destruction, which seemed to await her. The people instantly armed themselves, and the numbers armed soon increased to upwards of forty thousand men, and were daily augmenting. This most formidable body was not composed of mercenaries who had little or no interest in the issue, but of the nobility, gentry, merchants, citizens, and respectable yeomanry: men able and willing to devote their time, and part of their property, to the defence of the whole, and the protection and security of their country. The government had been abdicated, and the people resumed the powers vested in them; and in so doing, were fully authorized by every principle of the constitution, and every motive of self preservation; and whenever they should again delegate this inherent power, they firmly and wisely determined to have it so regulated, and placed upon so large and liberal a basis, that they should not be liable to suffer under the same oppressions in time to come; nor feel the fatal effects and complicated evils of mal-administration; of calamity without hopes of redress; or of iron-handed power without protection.

To prove, that these were the declared and real sentiments of the whole Irish nation, he should not dwell upon this or that particular circumstance; upon the resolutions of county and town meetings; upon the language of the associations; upon the general prevalent spirit of all descriptions of men of all religions: matters of this kind, however true or manifest, were subject to, or might admit of controversy. He would solely confine himself to a passage contained in a state paper; he meant the address of both houses of the Irish parliament, declaring, that nothing but granting the kingdom "a free trade," could save it from certain ruin. Here was the united voice of the country conveyed

conveyed through its proper constitutional organs, both houses of parliament, to his majesty, against which there was but one dissenting voice in the houses, and not a second, he believed, in the whole kingdom. Church of England men, and Roman Catholics, Dissenters, and Sectaries of all denominations; Whigs and Tories, if any such were to be found in Ireland; placemen, pensioners, and country gentlemen; Englishmen by birth; in short, every man in and out of the house, except the single instance mentioned, had all united in a single opinion, that nothing would relieve the country short of a free trade.

After stating, in a variety of instances, the misconduct, incapacity, but, above all, the shameful inattention of ministers to the affairs of Ireland, by which we were driven to the melancholy terms of submitting to whatever Ireland might think proper to dictate, or to the loss of Ireland as well as America, his lordship proceeded to point out several existing grievances in that country, as well arising from its particular constitution, as interior government. He observed, that there was one gross defect in the former, and that too of the first magnitude; he meant the power the crown being invested with, or arrogating to itself the disposal of the hereditary revenue, which amounted to full two-thirds of the whole monies raised upon the people. This could be disposed of at the king's pleasure, or its produce in part be anticipated by royal grants, called the king's letters. Such a general grant, he allowed, was not to be supposed or feared; but as long as the claim was contended for, it must continue a dangerous claim, because it invested the whole produce in the king, and with it consequently the power of the sword. It had, however, this immediate effect, that the ministers were at all times at liberty to give pensions, create places; and the salaries and sums granted or annexed to them, being charged upon the hereditary revenue, it in fact amounted to a power to tax; because, if that revenue fell short, other taxes must be laid on the people, and other burdens incurred, in order to make good those eventual deficiencies. This power, and the use made of it, was a source of endless mischief to the people of Ireland, and in its consequences to the people of England; because it afforded ministers on both sides the water, the means of corruption, and rewarding those, who supported them in their views, and gave a sanction to their measures. It was doubly mischievous to Ireland; for while it impoverished the people there, it at the same time furnished the means of future oppression, and repeated public rapine.

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It was a matter of notoriety, when Ireland had applied for some trifling favor in the last session, some few days only before the noble marquis moved the address read that day at the table, that the minister in the other house, (Lord North) understanding, that the house was about to relax, and that the favour was upon the point of being granted, came down, and by his sole influence threw out the bill by a majority of three only; and, not contented with giving a silent vote, spoke with his usual energy and success against it. This act of declared hostility against the people of Ireland, with the subsequent neglect of administration, in not attending to the united sentiments of the British legislature, was, in his opinion, the cause, that Ireland was not now in a perfect state of tranquillity and obedience to the government of this country; and that, instead of ten or twelve thousand associators, there was now, he believed, full four times the number, well armed and accoutred, and daily improving in discipline. The Irish saw what they must trust to, and they took their option. The honor and dignity of the crown were disgraced; the sword was dropped, and the people had taken it up on the double motive of defending themselves against a foreign enemy; and compelling that justice with arms in their hands, that had, as with America, been denied to their humble applications, and the repeated narratives and representations of their calamities and distresses.

After disclaiming all personal resentment in the act of duty, he undertook to perform, his lordship then moved the following resolution:

“ That it is highly criminal in his majesty’s ministers to have neglected taking effectual measures for the relief of the kingdom of Ireland, in consequence of the address of this house of the 11th of May, and of his majesty’s most gracious answer; and to have suffered the discontents of that kingdom to rise to such an height, as evidently to endanger the constitutional connexion between the two kingdoms, and to create new embarrassments to the public councils, by disunion and diffidence, in a moment when real unanimity, grounded upon mutual confidence and affection, is confessedly essential to the preservation of what is left of the British empire.”

Earl of Hillsbrough arose, and admitted, that he thought Ireland was entitled to a free trade with equal taxes, or, as he had before expressed himself, to an equal trade. So far his opinions went, and on that ground he thought himself well warranted in recommending to his majesty, and proposing to the consideration of parliament the granting Ireland an equal trade. As to the event
of

of this measure, all he could positively say, was, that it perfectly accorded with his ideas of policy and justice; and from the temper and disposition of the people of both kingdoms, he had good grounds to hope, that an equal trade, with the conditions to be annexed, would give perfect satisfaction and content, as well to the British, as the Irish nation.

The Marquis of Rockingham said, the non-importation agreement in Ireland had not been general, but had been entered into only by some counties and towns, at the time his motion was made; but as soon as the Irish perceived, that no relief was to be expected from ministers, though every branch of the legislature had promised it, the non-importation agreement became general, and the spirit of military association, which was directed solely to defence against a foreign enemy, soon assumed a different form; and looked forward to compel that relief, which, with good will and good intentions on our part, had before no existence in the minds of the people of Ireland. Had something been done when he first moved, or if parliament had been kept sitting, according to the propositions of his noble friend, of the 2d of June, neither the associations, nor the non-importation agreement, would have ever existed in their present extent. Could their lordships, then, with such self-evident proof before them, refuse, when it was, perhaps, the only measure which could effect the salvation of their country from the innumerable perils which encompassed it on every side, to pass a censure upon those men, who, by such base neglect, or complicated folly and treachery, had forced the Irish not only to those measures already mentioned, but had driven them to the last necessity, that of taking up arms to redress themselves, and forming into associations, which, however well intended, most clearly amounted to a suspension, if not a subversion, of all the power of legal government; and which, if speedy measures of conciliation were not adopted, might terminate in a civil war.

Among the grievances complained of by the people of Ireland, his lordship mentioned the expressions of disapprobation, on the shameful abuse and scandalous waste of the public revenues,* and the pension list.

Earl

* As an instance of this charge, he mentioned the purchase made of the office of Clerk of the Pells in that kingdom, from the then possessor of that place, an honorable member of the other house, who was an ornament to his country, (Mr. Fox) who held it by virtue of a patent for thirty-

Earl Gower said, he had the good fortune to unite the house last session, upon the terms of the address to the throne. He was in hopes, that something effectual for the relief of Ireland would have arisen from the unanimous concurrence of their lordships, in the amendment that he had the honor to propose. If, however, nothing had been done for the relief of that country, which he was pretty sure was the case, he assured the house he had done every thing in his power to keep his word, which he had solemnly pledged to their lordships, he was ready to acknowledge; but he must add, in his own justification, that his efforts had proved totally unfruitful. It was not in his power, nor in the power of any individual, to effect any such purpose.

He had presided, he said, for some years at the council table, and had seen such things pass there of late, that no man of honor or conscience could any longer sit there.

The times were such as called upon every man to speak out: the situations of those two kingdoms, particularly at present, required sincerity and activity in council.

Lord Stormont said, he was of opinion with the noble earl who spoke early, (Hillsbrough) that no part of the charge contained in the motion had been proved; nor were the parties accused, admitted to their defence.

Lord Camden said, the motion was so fully proved and substantiated in all its parts, that there was not a proposition in Euclid, the demonstrative proof of which might not, with equal justice, be controverted or denied. Ministers

ty-one years. In describing the whole of this accommodation, he observed, that the net profit of the place was but 2300*l.* a year; that the minister gave 30,000*l.* in hand, and a pension of 1700*l.* per annum; but for what purpose did he make this usurious contract? Not to oblige or serve that gentleman; not to relieve that kingdom from an enormous annual charge of a sinecure place, which required no attendance, but to qualify for the place on the spot, a custom long fallen into disuse, the very form, upon every occasion, having for many years, and upon most occasions, been dispensed with, by the aid of a British act of parliament, but merely to accommodate Mr. Jenkinson, (now Earl of Liverpool) secretary at war, and to load the sinking revenue of that country with a still heavier burden, by increasing the income of this sinecure place from 2300*l.* per annum, which it was when the honorable gentleman held it, to 3500*l.* per annum, on Mr. Jenkinson's appointment; besides 1700*l.* a year given to the former gentleman on the pension list; by which means Ireland was loaded with a burden of 5200*l.* a year, or an addition of 2900*l.* a year, as long as the patentee, the grantee, and the children of the former, included in the patent, should live; and 1900*l.* a year in perpetuity, in addition. Nothing could be more usurious—nothing more ungenerous, than this job of the minister.

had

had been desired, by the first authority in this country, the king, lords, and commons, to give Ireland relief; to enquire into the nature of their distresses, and remove the ground of their complaints. The question was, had they done so? If they had, the motion must fall to the ground; if they had not, did not the *onus* lie upon the ministers to state the reasons why they had not, or were unable to perform what they were entrusted to execute?

He spoke highly of the Irish nation; of their loyalty and affection; their wisdom and their public spirit. He hoped and believed, notwithstanding the ill treatment they had received; the cruel burdens imposed upon them by this country; and the succession of neglects and harsh measures they had felt, which had at length brought on an accumulation of distresses and calamities; that yet, all circumstances considered, they would still retain their affection and attachment for England.

Nothing should be done by halves; nothing niggardly, or apparently accompanied with reluctance.

He lamented the state of public affairs, and the baneful consequences of the American war; yet he did not entirely despair of, at least the friendship and good will, though perhaps, we had no great right to hope for the sovereignty of America. Ireland was still ours, and devoted to us. This island, with the aid of that kingdom, was still equal to make a most respectable figure among the powers of Europe; and if nothing better could be procured, he was persuaded, that, with Ireland, rendered useful to herself, and of course, to us, we should still be a match for any confederacy which might be formed against us. The question being put, was negatived by a majority of 82 against 37.

The critical and alarming situation of Ireland was debated more diffusely and warmly in the British House of Commons, than in the Peers. *On the 6th of December, 1779, Lord Upper Ossory rose, and prefaced his intended motion with a short speech in its support, which he confessed, when moved, would appear to amount to a vote of censure upon ministry, for their total inattention to the affairs of Ireland, towards the close of the last session, and during the whole of the prorogation of parliament. They had, he said, totally abandoned the government of that kingdom to chance; they neither felt for its distresses, nor provided against its possible, nay, probable and natural resentments. They turned a deaf ear to its mode-

* 15 Parl. Debates, p. 99.

rate requests; and had the peculiar merit of transforming the last stages of national misery and public despondency, into vigour, strength, spirit, and every means which could concur to draw forth a most formidable resistance, and all the time stood by unmoved, as unconcerned spectators, or as if giving countenance to the measures taken by Ireland, in order to compel a full and effectual redress of all her real and ideal grievances. He contended, that the spirit of resistance directed towards independency, which had manifested itself in Ireland, was imputable, and solely imputable, to the shameful inattention and criminal neglect of ministers, who might have, in the early stages of the miseries of that kingdom, granted the Irish substantial relief, and prevented the seeds of those disorders, which now threatened a dissolution of all constitutional government, from growing up suddenly to their present state of maturity: such relief too, as being founded in justice, and dictated by motives of sound policy, would have operated preventatively. The Irish would have rested content with the compliance of requests, far short of what they were fairly entitled to expect: no man could answer, at that instant, by what bounds their demands would be limited: no man could say on what conditions they would be satisfied; or upon what basis the interests and respective rights of both countries could be fairly established, without either a total separation, or consenting to throw too great a weight into the scale of Ireland. As, therefore, the unhappy dilemma this country stood in, respecting that kingdom, arose entirely and exclusively from the inattention of administration, he begged leave to make the following motion, to be proposed by way of resolution.

Resolved, “ That it is highly criminal in his majesty’s ministers, to have
 “ neglected taking effectual measures for the relief of the kingdom of Ireland,
 “ in consequence of the address of this house of the 11th of May last, and of
 “ his majesty’s most gracious answer; and to have suffered the discontents
 “ of that kingdom to rise to such an height, as evidently to endanger a dissolution of the constitutional connection between the two kingdoms, and to
 “ create new embarrassments to the public councils, by division and diffidence, in a moment, when real unanimity, grounded upon mutual confidence and affection, was confessedly essential to the preservation of what
 “ was left of the British empire.”

Lord Middleton seconded the motion, and repeated several instances of the inattention of the noble lord in the blue ribbon, and of his having set his face
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against the desired relief to Ireland; he spoke of the part he had taken the two preceding sessions respecting Irish affairs; that the first, they had been put off by mutual consent, to be more fully investigated the succeeding session; and the last, when he had the honour to preside in the chair of the committee, where some resolutions, for the purpose of granting some small favour to Ireland, passed without any considerable opposition; he said, the noble lord, when he found the house in a temper to acquiesce, came down professedly to defeat the measure, and threw out the bill on the second reading.

The defence of administration was, on this occasion, ably conducted. It was contended, that the distresses and miseries of Ireland, could not with justice be attributed to the present, or any late ministers; that her grievances existed many years before, in the general system of trade laws; that the restrictions then laid on arose from a narrow, short-sighted policy, which, though conceived in prejudice, and founded on ignorance, was yet so strengthened by time, and confirmed by the habits of a century, that it seemed at length wrought into, and become even a part of the constitution. That the prejudices on that ground were so strong, both within the house and without, that the attempts made in the two preceding sessions, only to obtain a moderate relaxation of the restrictions, with which Ireland was bounden, met with the most determined opposition: the few, who had undertaken that task, found themselves obliged to encounter prejudice without, petitions and counsel at the bar, and to be at last overborne by numbers within the house. Thus ministers were fully exculpated from the charge, that was brought against them; and it was demonstrable, that they had no share whatever in drawing on the calamities of Ireland: and it was as clearly evident, that it was not in their power to have afforded that timely redress to her grievances, a supposed or imputed neglect in which had been made the ground of so much ingenious, but unfounded, and, therefore, unjust invective. It was farther alleged, that it would have been highly unfitting, and might have been attended with obvious ill consequences, for the British parliament to have at all entered upon the affairs of Ireland, until they were properly informed what the nature of her wants, and the extent of her demands were; as it was from these circumstances only, that any true judgment could be formed as to the measure of relief, which it would be fitting to afford to that country. That now, by having convened the parliament of Ireland first, its sentiments were properly brought forward, and came fairly within the cognizance of the British legislature;

legislature; and all they had now to consider was, how far it would be advisable to comply with the requests made by Ireland; and with what terms and conditions it might be thought proper to charge the favors granted. That the present ministers, instead of being inimical to Ireland or inattentive to her interests, had been her best and warmest friends. That they had done more for her than all their predecessors during a century past. That not only the nation at large, but parliament, were till then averse from granting any concessions to Ireland, which could afford her either content or redress: and consequently if any blame were due for not affording more early relief to Ireland, it was imputable only to the prejudices and temper of the people and parliament of England, and not by any means to the ministers, who, as they had no share in the causes of her distresses, were equally guiltless as to their continuance.

These arguments were opposed by the supporters of the motion, who reprobated in terms of high indignation the imputation of prejudice laid to that house, by which ministers (they said) according to their established, but daring practice, attempted to father all their blunders and misdemeanors on parliament. They laughed at the pretended weakness and inefficiency with respect to the transactions of the house, which ministers then affected, in order thereby to shield their own neglect with respect to Ireland. They however absolutely denied, that the minister had been passive, neutral, or inefficacious as to the affairs of that country; on the contrary, they charged him with having taken a very active part in the business during the preceding session. For a bill having been brought in to afford relief to Ireland by admitting the direct importation of sugars for her own consumption, and he having (as they said) for some time suffered things to take their natural course in that house, the bill was accordingly coolly and deliberately canvassed and debated in all its parts, and by the strength of its own intrinsic merit worked its way through repeated divisions, until it had nearly arrived at the last stage of its progress. But at that inauspicious moment, the minister having by some means been roused from his slumber, most unhappily reassumed his activity, and departing at once from that neutrality, which he had hitherto professed, came down with all the power, and surrounded with all the instruments of office, in order to defeat the measure, and accordingly succeeded in throwing out the bill. That when the people of Ireland saw, that the minister had thus openly set his face directly against them, and found after, that every effort in their favor was rendered abortive by his influence or management,

ment, until they saw themselves at length totally abandoned by the rising of the British parliament, it was no wonder, that they should become desperate, and that they should seek in themselves for the means of that redress, which they found denied both to favor and to justice.

Ministers, they said, boasted, that the distresses of Ireland had not originated with them; it could be readily admitted, that she was not without grievances previous to the fatal period of their administration; but her immediate calamities sprung principally from the same grand source of all those general evils and dangers, from the American war. By that Ireland, like England, lost a valuable part of her commerce, with less ability to support the loss, and the corrupt expences of a feeble government increased, as all the means of supplying them diminished.

In this severe manner was the minister's defence treated by his opponents; but no part was handled with more spirit than the plea for not affording timely relief to Ireland, because the parliament of that country was not then sitting. The debates on this occasion were long, various, and interesting; but the question being at last put, at a very late hour, the motion was rejected upon a division by a majority of 173 to 100.

In the course of this debate most of the leading men in the commons delivered their sentiments very fully; none more so than Mr. Burke. The people of Ireland, said he,* have reasoned fairly and justly: the colonies, they knew, had been offered the most, that their own most sanguine expectations could aspire to, a free trade with all the world. America, for her revolt, has had a choice of favors holden out to her. That was the reward of rebellion. Ireland, for her loyalty for almost a century, and her forbearance under accumulated oppression and internal distresses, had been refused the mighty indulgence of importing her own sugars. The Irish justly conceived, that their merit ought not to be imputed to them as demerit; and that the first principles of all good government would be departed from, if their deserts were to be weighed in the political scale, as only entitling them to punishment, not reward. At all events, without taking any peculiar merit with the British government, for their loyal, faithful, and peaceable demeanour, they thought they were at least entitled to meet the

* 15 Parl. Deb. p. 11.

colonies upon equal terms, and with equal expectations of favor and relief to those, which America had spurned at with contempt.

These were the grounds, on which the people of Ireland proceeded, when all hopes of redress from this side of the water had vanished. What was the first resolution they adopted? Like America, to consume no more British manufactures. The next? To enforce this resolution, by rendering it operative and extensive, and for that purpose, entering into a non-importation agreement. What next? To arm and array themselves to the number of forty thousand men. What next? A parliamentary declaration, that nothing short of a free trade could afford them effectual relief; and as the last act, in order to secure a due and faithful performance of what they claim, they pass a money bill for six months. Ministers have but six months credit with the parliament of Ireland. What then was the true state of both kingdoms? Ireland insisting on a free trade, or determined to break off all political connexion with this country.

The noble lord had endeavoured to legalize the associations in Ireland, with remarkable ingenuity, under the sanction of two acts of parliaments. One of them was out of the question, he believed, by any possible interpretation that could be put upon it [the bill of rights, as not extending to Ireland, we presume] the other was, in fact, not less so. He meant the act passed in the Irish parliament in the year 1745, during the rebellion in Scotland. Did the noble lord mean to say, that by that act men had a right to arm themselves, and elect their own officers? And that those officers were legally commissioned to act without an authority from the crown? If he did, the idea was preposterous, and to the last degree absurd, and as such, he presumed the noble lord had not expressed himself agreeably to his real intentions: the great dispute, which brought on the civil war, and which had been so often between the king and parliament, and on which their disputes at the commencement chiefly turned, was the very particular point then under consideration, so far as it related to the assertions of the noble lord; and he believed it was a principle ascertained by the constitution, and confirmed by positive law, that, let men be armed by the state, or by themselves, they cannot act or assemble but under a commission from his majesty. He had a most respectable authority to support him in this opinion, no less than the lord chancellor of Ireland, Lord Lifford; who, when a vote of thanks was moved
and

and agreed to by the majority of the House of Lords of Ireland, to the associates of that kingdom, refused to give his assent, honestly stating his reasons, that he could never join in a vote of thanks, as a peer of parliament or a lawyer, to any set of men, be their motives ever so laudable or patriotic, who were acting in a military capacity contrary to law.

Not only was Ireland at this time associated in arms,* but united in principle; and a spirit of patriotism carried the people and their representatives to one and the same object. Colonel Barré had faithfully depicted the real and well-founded conviction, under which that people were then acting; namely, †that it was their loyalty and affection, which encouraged ministers to oppress and neglect them, so it was a proper sense of those oppressions and neglects, that produced their present resentments, and had provoked them to arms. In neither house of the British parliament were the desperate distress and calamity of Ireland even doubted: all were of accord as to the existence of the evil: the only differences were, who had created, and who had countenanced or fomented, who had negatively or positively given continuance to it, and how was it then to be remedied.‡

In

* 15 Deb. p. 128.

† The volunteer uncommissioned army of Ireland was so extraordinary a phenomenon in all its relations, that the opinions of the great statesmen of that day upon it must be interesting to every British subject. In the debate on Lord Ossory's motion, Mr. Fox thus expressed himself upon the subject (15 Parl. Deb. p. 129). "The Irish associations had been called illegal; legal or illegal he declared he entirely approved of them. He approved of that manly determination, which, in the dernier resort, flies to arms in order to obtain deliverance. When the last particle of good faith in men is exhausted, they will seek in themselves the means of redress; they will recur to first principles, to the spirit as well as letter of the constitution, and they can never fail in such resources, though the law may literally condemn such a departure from its general and unqualified rules, truth, justice, and public virtue, accompanied with prudence and judgment, will ever bear up good men in a good cause, that of private protection.

"God knew, that he sincerely lamented the cause, which produced this sad, he could not but say, this perplexing and humiliating alternative. He most heartily lamented that any cause had been administered, which seemed to justify violence or resistance; he dreaded the consequences, however justifiable in their origin, or moderately or judiciously conducted: but whatever the effects might be, he was ready to acknowledge, that such a power was inherent in men; as men and citizens it was a sacred trust in their hands, as a defence against the possible or actual abuse of power, political treachery, and the arts and intrigues of government; and when all other means failed, resistance he should ever hold as perfectly justifiable."

‡ Mr. Fox in his speech on the debate upon Lord Ossory's motion pointedly asked, What was it that armed 42,000 men in Ireland with the arguments carried on the points of 42,000 bayonets?

In the Irish senate a new scene was opened, and the voice of patriotism re-echoed from each side of the house with equal ardor. Encouragement had been given to them by the gracious answer from the throne to the address of the House of Commons, communicated to the house on the 1st of November, 1779;* in which his majesty assured them of his sincere concern for the distresses of his kingdom of Ireland, of his affectionate attention to their interests, and of his constant readiness to concur in such measures, as should upon mature consideration appear most conducive to the general welfare of all his subjects. The parliament of Ireland now used serious exertions in behalf of their country; the House of Commons, with a view of obtaining an enlargement of their commerce, spiritedly resolved to grant the supply only for a short period, and accordingly agreed to a six months money bill, which was transmitted to England, where, however mortifying to the minister, it reluctantly passed. The house likewise resolved unanimously, "That the exportation from that kingdom of its woollen and other manufactures to all foreign places would materially tend to relieve its distresses, increase its wealth, promote its prosperity, and thereby advance the welfare of Great Britain, and the common strength, wealth, and commerce of the British empire."

"That a liberty for that kingdom to trade with the British colonies in America and the West Indies, and the British settlements on the coast of Africa, in like manner as trade is carried on between Great Britain and the said colonies and settlements, would be productive of very great commercial benefits, would be a most affectionate mark of the regard and attention of Great Britain to our distresses, and would give new vigor to the zeal of his majesty's brave and loyal people of Ireland, to stand forward in support

The American war (15 P. D. p. 125) and (p. 127). "It was the general calamities of the empire, which had made Ireland poor; but it was the incapacity and negligence of government that had rendered her bold and daring. It was therefore incumbent upon parliament, to shew their fullest disapprobation of that indolence and incapacity, and convince Ireland, that they are as ready as themselves to resent and punish the cruel and improper treatment, which she has received from ministers. Ireland would see by such a conduct, that it was not this country, but its ministers, who were blameable; which would, in his opinion, prove the surest means of once more binding both countries in the strongest and most indissoluble ties of friendship and affection. That, in his opinion, was the motive, which ought to operate with Britain at the present minute."

* Com. Journ. p. 17.

“ of his majesty’s person and government, and the interest, the honor, and
 “ the dignity of the British empire.”

So determined was the Irish House of Commons to assert their rights, and bring the British government and parliament into a full recognition of them, that on the 24th day of November the question was put, that it be resolved that at this time it would be inexpedient to grant new taxes, and it was carried in the affirmative by a majority of 170 to 47.* As soon after this disposition of the Irish House of Commons was known in England, as convenience would permit, Lord Shelburne in the British House of Peers, and Lord Offory in the British House of Commons, made their motions; on which occasion Mr. Fox afterwards observed,† his friends and he had openly, and without the least degree of reserve, given their thoughts on the subject, alleging, that although that motion had been unfortunate, yet it fully expressed the sentiments of those, with whom he had the honor to act.

On the 13th of November, 1779, the British House of Commons being in a committee on the affairs of Ireland, Lord Drogheda in the chair, Lord North opened his three propositions relative to the allowing Ireland a free export of her wool, woollens, and wool flocks, a free exportation of glass, and all kinds of glass manufactures, and a freedom of trade with the British plantations on certain conditions, the basis of which was to be an equality of taxes and customs upon an equal and unrestrained trade. The minister stated in a speech of considerable length, and with equal ability and knowledge of the subject, the propriety and justice, as well as the necessity, of affording relief to Ireland; and entered fully into her claims, as well with respect to her natural and inherent rights, as to those arising from her particular connexion with Great Britain. He likewise expatiated largely on the mutual and respective interests of both countries, and very happily collected into one point of view, almost all those questions of commerce and policy, that had been before agitated on this subject. He gave the following correct and interesting history of the commercial restrictions of which Ireland so justly complained.

The commerce, import and export, was holden in common by both kingdoms, till the reign of Charles the Second. Even the Act of Naviga-

* 10 Com. Journ. p. 34.

† Viz. on the 13th of December, when Lord North brought forth his three propositions, 15 Par. Deb. p. 187.

tion, the great foundation of our plantation laws, put England and Ireland upon exact terms of equality ; nor was it till two years after the first commercial restriction was laid on Ireland, and that not directly, but by a side wind, and by deductive interpretation. When the act first passed, there was a general governing clause, for giving bonds to perform the conditions of the act ; but when the act was amended, in the 15th of Charles the Second, the word Ireland was omitted, whence a conclusion was drawn, that the acts of the two preceding parliaments, twelfth, thirteenth, and fourteenth of Charles the Second, were thereby repealed, though it were as clearly expressed in those acts, as it was possible for words to convey, that ships built in Ireland, navigated with the people thereof, were deemed British, and qualified to trade to and from the British plantations ; and that ships built in Ireland, and navigated with his majesty's subjects of Ireland, were entitled to the same abatement and privileges, to which importers and exporters were entitled by the book of rates. Ireland was, however, omitted in the manner he had mentioned. The giving bond being omitted in the act of the fifteenth of the same king, the very condition, which was to give it a general operation, namely, confining the liberty to trade only with Great Britain and Ireland, and vesting the power in Ireland to trade with the colonies on the same footing as England, having been left out, Ireland was thereby as much excluded from trading with the British colonies as France, Spain, or any other strange nation, in the way of a direct export or import trade, except in a few instances, which were by subsequent acts declared exceptions to the general rule, such as the export of servants, horses, and victuals ; and in the reign of King William, of linen, and some few enumerated articles since that period.

There were anecdotes still extant, relative to the real causes of those harsh and restrictive laws. They were supposed to have originated in a dislike or jealousy of the growing power of the then Duke of Ormond, who from his great estate and possessions in Ireland, was supposed to have personal interest in the prosperity of that kingdom. Indeed, so far was this spirit carried, whether from personal enmity to the Duke of Ormond, from narrow prejudices, or a blind policy, that the parliament of England passed a law to prohibit the importation of Irish lean cattle.

The wool export and woollen manufactures still remained in the possession of Ireland to restore, which was the object of this present motion. In 1692,
from

from jealousy, or some other motive, the two houses of the English parliament addressed the crown, recommending a kind of compact between both kingdoms, the terms of which were, that England should enjoy the woollen manufacture exclusively, and Ireland the linen. If, however, solemnly this compact were observed by the latter kingdom, the truth was, that England carried on the linen manufacture to full as great an extent as Ireland, while the monopoly of the woollens remained totally with England. The first step Ireland took in consequence of this compact, was to lay an export duty upon wool and woollens of all kinds equal to a prohibition; and when the act expired, for it was but a temporary one by way of experiment, the British parliament, without consulting that of Ireland, by the 10th and 11th of William the Third, passed a similar act, and made it perpetual. That was the act, which at once put an end to the woollen trade of Ireland. The next act was a law of the fifth of George the First; the next the fifth and twelfth of the late king, which last went so far even, as to prohibit the export of a kind of woollen manufacture called wadding, and one or two other articles excepted out of the tenth and eleventh of King William; but these three last acts swept every thing before them.

His lordship next proceeded to state some facts relative to the trade of that country. He said, upon an average of the six years from 1766 to 1772, the export of Ireland was somewhat more than two millions; and in the succeeding six years, ending in 1778, about as much more, one half nearly British manufacture or produce, the other half certificated articles, of which this country was the medium of conveyance, out of the native produce, which was something more than 900,000*l.* per annum, on the average, only 200,000*l.* were woollens; so that in this light, supposing every thing, that any man could wish to conclude from the fact, he submitted to the house, whether it would be sound policy to risque a million export of native produce for a woollen export of 200,000*l.*

He then turned to reconsider the state of the linen trade, which, however prosperous it might appear, was still capable of great improvement. It was a pamphlet written by the celebrated Sir William Temple, that first suggested the idea of extending and improving the manufacture of Ireland, and gave rise to the compact, which he had alluded to. It was an opinion, which prevailed with many, he believed, that as the compact was now to be dissolved, should the Irish be permitted to enjoy a free export of woollens, that the
bounties

bounties paid on the importation into England of certain species of fabrics of Irish linens, ought to be discontinued. In this he should differ greatly from gentlemen, who might reason in that manner, and he would support his difference of opinion by the following authentic documents, which he had in his hand.

From those it appeared, the number of yards of linen manufactured for foreign consumption, or exported in the year 1751, was twelve millions; the next year the British bounty was discontinued, and it fell to ten millions; in 1756 it was no higher than eleven millions; and in the next year, 1757, when the bounties were again granted, the number of yards entered for exportation, suddenly rose to fifteen millions, and so continued to increase for several years so high, he believed, within a period of fifteen years (1771) as to amount to twenty-five millions of yards.

This was sufficient ground for him to conclude, that the British bounty operated as a great encouragement. It was not a large sum that was appropriated for this purpose, the whole not being, in the highest year, above 13,000*l.* or thereabouts. He said that a trade with our colonies, of any kind or of any extent, from Ireland, must be considered as a matter of favor to that kingdom. Considering her even as an independent state, she could set up no claim to a commercial intercourse with the British colonies. These colonies had been settled, established, and raised to the present strength and opulence, by the blood, treasure, and industry of Great Britain. By every principle of justice, of the law of nations, and the custom of the other powers of Europe who had settlements and distant dependencies, the mother country had an exclusive right to trade with, and to forbid all others from having any intercourse with them. Such an exclusive right was of the very essence of colonization; for what nation under the sun would spend their blood and treasure in establishing a colony, and protecting and defending it in its infant state, if, after, other nations were to reap the advantages derivable from their labour, hazard, and expence?

The colony trade laws, so far as they related to Ireland, were full of restrictions, though, as he had more than once observed, the colony trade was open before the 15th, 22d, and 23d of Charles II. in which the word Ireland was omitted; after that period, several statutes were passed, some general, others particular, to restrain, and in many cases to prohibit, the trade of Ireland with America and the West Indies. By the act last mentioned of
Charles

Charles II. 7th and 8th William III. 3d and 4th Ann, chap. 5 and 10; 8th Geo. I. 4th Geo. II. and 4th Geo. III.

By these several acts, the following articles, being the growth, product, or manufacture of any British plantation in Africa, Asia, or America, cannot be imported into or landed in Ireland, except they are first landed in Great Britain, viz. sugar, tobacco, cotton, wool, indigo, ginger, fustic or other dying woods, speele or Jamaica wood, rice, molasses, tar, pitch, turpentine, masts, yards and bowsprits, beaver skins and other furs, copper ore, coffee, pimento, cocoa-nuts, whale-fins, raw silk, hides and skins, pot and pearl ashes, and gum Senegal. But by the acts of the 4th of George II. and 7th of Geo. III. all other goods (except hops) of the growth, product, or manufacture of the British plantations, may be imported from thence into Ireland, in British shipping, whereof the master and three fourths of the mariners are British.

By the 15th of Charles II. and 7th of William III. his lordship observed, that goods, the product of Europe, cannot be imported into any British plantation, unless shipped in Great Britain, and carried directly from thence in British-built shipping, except salt for the fisheries, horses, and victual and linen cloth from Ireland, provisions and implements for the fisheries, clothing and accoutrements for the army, and other articles of manufacture permitted to be exported from thence into the British plantation, by the 3d and 4th of Ann, 3d of George I. 15th and 18th of George III.

His lordship enumerated several other acts, of the same tenor, directed to particular articles of import and export, not necessary to be particularly mentioned, but all framed upon the same principle. Having laid down these premises, as the foundation on which he was to rest his intended proposition, he declared that in his opinion, it was the interest, and consequently the duty, of Great Britain, to do every thing in her power, which might promise to advance, promote, and extend, the interest and commerce of Ireland, upon the broadest and most extensive ground and firmest basis; and as one of the most certain means of rendering that country useful to herself, and truly valuable to this, would be to open new sources of commerce to her, and such as it would be impossible for Ireland to obtain without the liberality and indulgence of this country, though she had been totally an independent nation. This he said would prove the only wise and prudent means to afford our sister kingdom relief, and that species of relief, too, that would serve more to convince her of the sincere and affectionate desire we have to render her
happy,

happy, contented, rich, and prosperous. It would be an unequivocal proof of the candour and sincerity of Great Britain, and he made no doubt but Ireland would receive it as such, and that the whole would have a happy termination.

He condemned local prejudices and national partialities, very warmly; though under different legislatures, he maintained that Great Britain and Ireland had but one conjugal interest, and were in the genuine sense of the phrase but one people. He acknowledged that Great Britain ought to be no sufferer by her bounty to Ireland. The latter would, it was certain, gain much, but this country would be no loser. But even if the sister kingdom should be enabled to rival us at foreign markets, in a few commodities of native growth, cheapness of labour, and other incidental circumstances, we should not forget that Ireland formed a part of the British empire, and the only part too out of this island to which we could look for assistance in the moment of peril or distress. He wished every person out of it, who turned his thoughts to the subject, would look at it fairly, and consider it without partiality or prejudice, not upon a narrow or contracted, but upon a liberal and extensive scale. It was a duty every man owed his country, to look attentively and gravely to our present situation, and to reflect, that as the superlucration of all the commerce of Ireland, let it arise from the profit of which branch of trade it might, would necessarily centre in the seat of empire; if not the whole, at least much the greatest part, and might be well estimated as forming a part of the accumulating wealth of Great Britain.

Such was the happy temper now prevailing, that no opposition was given to these resolutions, the firm measure of a six months money bill; the non-importation agreement and the armed associations had produced a wonderful change in the public mind throughout Great Britain with reference to the affairs of Ireland. Bills founded on the two first propositions were accordingly brought in, passed both houses with the utmost facility, and received the royal assent before the recess. The third being more complex in its nature, requiring a variety of enquiry, and being subject to several limitations and conditions, was suffered to lie over during the ensuing holidays in its state of an open proposition, not only to afford time for consideration in England, but for acquiring a knowledge of the effect, which the measure was likely to produce in Ireland.

To such an alarming crisis was the political state of Ireland now brought,
that

that the people began to look up to the armed association for redress, rather than to their representatives in parliament. But hitherto, these bodies having acted only in detached companies, knew not their own strength. They found it necessary for their grand project, to form themselves into regular battalions, and establish a system of communication with each other. Long had the original cause, or occasion of the volunteers arming in self defence against a foreign enemy, been sunk into the more interesting object of asserting their constitutional independent rights, and procuring a free and open trade for their country. As far back as at the close of the year 1778, the armed associations in Ireland were computed to amount to 30,000 men: and they had been increasing from that period: they clad and armed themselves voluntarily; they cheerfully learned the use of arms, and freely submitted to the most exemplary discipline: but their transcendent attention was to instil into each other an uniformity of political sentiment and determination not to quit their arms, till they should have accomplished the complete liberation of their country from the sovereignty of the British parliament. In the beginning of the year 1780, they entered upon the plan of general organization: they appointed reviews for the ensuing summer; and chose their exercising officers and reviewing generals; and thus the foundation of Irish union was laid. They now openly declared their opinions upon the state of public affairs; and the newspapers teemed with resolutions of the different corps, all in unison declaring, that Ireland was an independent kingdom, and fully entitled to all the untroubled rights, privileges, and immunities of a free constitution: that no power on earth but the king, lords, and commons of Ireland, could make laws to bind them: and that they were ready with their lives and fortunes to resist the usurpations and encroachments of any foreign legislature. Such were at this period the universal sentiments of the Irish people, if the will of a people can be known. The government, and their parliamentary majority, were alarmed at, and consequently inimical to the propositions. Mr. Grattan, however, on the 19th of April, 1780, after a most animated speech, moved, that the house should resolve and enter on its journals, "*That no power on earth, save the king, lords and commons of Ireland, had a right to make laws for Ireland.*" After a most interesting debate, that lasted till six o'clock in the morning, in which every man but one, acknowledged its truth, either expressly, or by not opposing it, Mr. Flood, who well knew that the ministerial members were committed to negative the motion, if it

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came to a division, recommended, that no question should be put, and no appearance of the business entered on the journals; to which Mr. Grattan consented.

Upon the appearance of some active sincerity in the British cabinet and parliament, the Irish House of Commons proceeded to take into serious consideration, the regulations necessary to place the commerce of that kingdom on a footing of stability and advantage. It is characteristic to that nation, to be prodigally grateful for benefits even intended. The supplies were granted for a year and a half longer; and 260,000*l.* were ordered to be raised by treasury bills, or by a lottery, as the lord lieutenant should direct.* On presenting the money bills, to which his excellency gave the royal assent, Mr. Pery, the speaker of the House of Commons,† made a speech to the lord lieutenant, which

* This was the first time that the expedient of a lottery, to aid the raising of the loan, was resorted to in Ireland. Two hundred thousand pounds being wanted, a lottery, consisting of 42,000 tickets, was proposed, 40,000 of those were paid for at five pounds each; and one ticket given as a douceur, to every subscriber for twenty. Debentures, bearing interest at four per cent. for 210,000*l.* were ordered to be made out for the payment of the prizes; and it being necessary to borrow 140,000*l.* more, treasury bills, for the first time, were ordered to be issued, at an interest of three-pence per day for each 100*l.* being 4*l.* 11*s.* 3*d.* per cent. per annum.

† 10 Journ. Com. p. 142. The speech was to the following effect:

“ The Right Honourable Mr. Speaker’s Speech to his Excellency John Earl of Buckinghamshire,
“ Lord Lieutenant General, and General Governor of Ireland.

“ MAY IT PLEASE YOUR EXCELLENCY,

“ During the vicissitudes of a foreign, and still more dangerous, civil war,
“ which has wasted a great extent of the British empire, it has been the peculiar felicity of this na-
“ tion to preserve the public tranquillity: and though long depressed by the narrow policy of for-
“ mer times, still to retain such vigor, and at the same time such temper and caution, as animated
“ it to claim, with honest confidence, its rights; and yet restrained it from transgressing the bounds
“ of its duty, or hazarding the loss of that inestimable blessing, the British constitution. To this
“ state of union and moderation, unexampled in any age, or in any country, under similar cir-
“ cumstances; to your excellency’s judicious conduct and faithful representations; to his majesty’s
“ benevolent disposition and tender concern for the sufferings of his people; to the wisdom of his
“ minister, however questioned in some instances, in this acknowledged by all; to his resolution
“ and constancy in combating established habits and rooted prejudices; and to the justice and ge-
“ nerosity of the British nation, must be ascribed the happy restoration of that equitable system of
“ equality in commerce, which has silenced, I trust for ever, those pernicious suspicions and jea-
“ lousies, which lately threatened the peace of both kingdoms. But, whatever advantages this
“ change in our condition may promise, it will avail us little if it inspires false hopes and vain ex-
pectations

which was highly satisfactory to all parties, for which the house thanked him, and desired him to print it.

Notwithstanding the general elation of the Irish upon the flattering prospect of a free trade, their joy was but of short duration: upon maturer consideration, the generality of the commercial interest in Ireland was dissatisfied with the proposed system of equalizing the duties between the sister kingdoms, and the British ministry was so imprudent at that time, as to irritate and inflame the distrust and disaffection, that had so long rankled in the public mind of Ireland, which then, with arms in her hands, had earnestly turned her thoughts to the assertion of her independent constitutional rights. The bill for punishing mutiny and desertion in the army for a limited time, had been transmitted, as usual, and was returned with the most alarming alteration from the English privy council: it was made *perpetual*: and very material alterations were also made in one of the commercial bills relating to the article of sugars. Provocation and harshness to Ireland were now peculiarly ill-timed. Discontent and resentment ran through the kingdom. The borough of Newrey presented a petition to the House of Commons, stating, that the petitioners had heard with deep concern of alterations then said to have been made in the bill for laying a duty of twelve shillings per hundred weight on imported refined sugars; and also in the bill for the better regulation of the army: that the duty of twelve shillings appeared to be the lowest, that could possibly be admitted, with the appearance of justice to that country; and that a perpetual bill for the regulation of the army, or of any other duration than from session to session, was a daring attack on the constitution of both coun-

“pectations of sudden affluence; the future prosperity of this kingdom will depend upon our industry and œconomy, public as well as private, the effects of which, though certain and permanent, are ever gradual and slow; and unless our expences are regulated by our acquisitions, disappointment will be our portion, and poverty and distress must be the consequence of our conduct. Notwithstanding these considerations, and the reduced state of this kingdom, the commons have granted to his majesty much larger supplies than in any former session; they have borrowed a sum of 610,000*l.* to discharge the arrears of the establishments; and in order to provide against any future deficiency, they have made an addition to the revenue, estimated at above 150,000*l.* a year. Nor have they been less attentive to the interests of the people, than to the honor of the crown. The public good has been the object to which all their efforts have been directed; and their conduct through the whole of this session, has alike entitled them to the confidence of their sovereign, and of their constituents; and will leave to all future parliaments a memorable and instructive example of fortitude, moderation, and wisdom.”

tries. That they humbly prayed, that, by an equal distribution of justice, the mutual cordiality between Great Britain and Ireland might be ensured; and the necessity for that country to resolve to consume her own manufactures only, might be removed; and that a parliamentary army might be maintained in Ireland, regulated upon principles such as Great Britain could approve of, and Ireland submit to. Several other petitions were also presented to the like purport.

On the 16th of Aug. 1780, the House of Commons resolved itself into a grand committee, to take into consideration the altered mutiny bill. It was contended, in support of that measure, that if parliament had an intention to preserve the peace of Ireland, they must pass the bill in its present state. That as long as parliament held the purse of the nation, they could, by refusing to pay, annihilate the army. That the hereditary revenue never could be applied to the payment of the army, because it would destroy itself in the very ends it should be employed for. That if the king were granted the liberty of raising an army, he should also have the perpetual power of regulating that army.

On the other side it was argued, that the present bill tended to the subversion of all public liberty. That it would not be wise to grant to the crown a dictatorial power over fifteen thousand men for ever. That it was the wish of the kingdom to be governed by its own laws. That they considered the power of originating this very act as a declaration of rights: they were consequently contending with the minister of Great Britain, not for any concession, which might wound the interest or pride of the English, but for a measure, which would bring every man in Britain on their side, as they could not wish to see the power of the crown rendered so dangerous to the constitution of both kingdoms, with a perpetual army, which might invest his majesty with too great an influence over the laws; and that any articles of war, which the king might hereafter make, would be articles of war for that kingdom; for the act extended a power over all his majesty's forces, by which means Ireland would be under the controul of an English statute, and the kingdom would become a place of arms.

The debates on this subject continued till near midnight. Sir Henry Flood took a principal part on the side of government, who carried the question by a majority of 69 against 25, and the bill was passed. This, together with the circumstances respecting the sugar bill, increased the public discontent; and
several

several resolutions were entered into at different public meetings, that were assembled on this occasion. Amongst others, a meeting of the merchant's corps of volunteers was convened at the Royal Exchange, Dublin, when the following resolutions were passed, and ordered to be printed in the public papers.

" *Resolved*, That the late decisions of the House of Commons, (so destructive, in our opinion, to the constitutional rights, and injurious to the commercial interests of this kingdom,) demand the most serious attention of every Irishman.

" *Resolved*, That we consider their consent to the mandate of the British minister, by which the bill for the regulation of the army is made perpetual, and the controul thereof for ever vested in the hands of the crown, as a subversion of the constitution, and a stab to the liberty of the subject.

" *Resolved*, That considering the army of this kingdom as a body of men embarked in the cause of their country, and equally entitled with ourselves to the protection of its legislature, we cannot but feel for their situation; who, by this law, are in danger of being made, at a future day, the unwilling instruments of despotism, to violate the liberties of Ireland.

" *Resolved*, That we consider the compliance of that house with the alteration made in the sugar bill by the English privy council, reducing the proposed duty on lump sugars, as an overthrow to the refinery of this kingdom, and a total obstruction to the extension of its manufactures, by an export to the British colonies and West-Indies.

" *Resolved*, That we will concur with the volunteer corps of this kingdom, and the rest of our fellow subjects, in every effort which may tend to avert the dangers we are threatened with.

" *Resolved*, That the strenuous, though unsuccessful efforts, of the minority of the House of Commons, in defence of the constitution, merit the thanks and firm support of every friend of his country."

Similar resolutions were entered into by other volunteer bodies, particularly the Independent Dublin and Liberty Corps; as also by the citizens of Dublin in general.

The language now holden by the popular prints, bespoke at once, as well as increased the general and inveterate discontent of the people. The *Hibernian Journal*, or *Chronicle of Liberty*, and *The Public Register*, or *Freeman's Journal*, were peculiarly obnoxious to government. The House
of

of Commons passed a vote of censure against the printers and publishers of these two papers,* and addressed the lord lieutenant to give orders for effectually prosecuting the printers and publishers, and also the authors and contrivers of certain articles in those papers. The former contained the resolutions of several corps of volunteers, and others: the latter gave peculiar offence, by the publication of the following paragraphs:

“ We are happy to find, that a general meeting of the independent merchants and volunteers of this city is fixed for Tuesday evening next, at the Music Hall. It is hoped, that their spirit and example may animate the kingdom to rise in support of the violated rights of Ireland; and that the nation may be restored by their means to those inherent privileges, which their treacherous representatives have basely sold to the infamous administration of Great Britain.”

“ It is thought, that the measures, which will be adopted on Tuesday next, by the merchants and volunteers, will be directed to effect the destruction of the betrayers of our excellent constitution; and as it is feared, that the Music Hall will not be large enough to contain them, it is expected that the next meeting will be in the Park, or in St. Stephen’s Green.”

Whereupon it was

Resolved, nem. con. “ That the said paragraphs contained matters that are false, scandalous, seditious, and libellous, grossly aspersing the proceedings of parliament, and most manifestly tending to create discontents among his majesty’s subjects, to withdraw them from their obedience to the laws of this realm, and to subvert the authority of the legislature of this kingdom.”

This vote of censure was not so much directed against the printers and publishers, as it was aimed by the ministry at the volunteer corps, whose system and influence had become truly alarming to government. Yet such was the ascendancy, which the armed associations then commanded over the minds of their countrymen, that it was found more prudent not to cast a direct censure upon, or even shew a disregard to any of those corps.

No nation on earth enters into a cause with more eagerness and cordiality than the Irish: no nation sets a higher value upon works of genius: none delights more in reading, hearing, and discoursing upon the political events of their own country. During (what Lord Clare called) the imbecility of

* 10 Journ. Com. p. 195.

Lord Buckinghamshire's administration, the popular mind was worked up to a degree of enthusiasm upon their rights and claims to uncontrouled civil freedom and independence: several publications helped to quicken and extend this flame: the letters, under the signatures of *Owen Roe O'Neil*, and *Guatimozin*, were distinguished by their boldness of thought and expression; by a warmth of patriotism, and a cast of original genius, peculiarly adapted to the general, as well as peculiar disposition of the Irish people at that juncture. A pamphlet, attributed to Mr. Grattan, containing great part of the substance of that great orator's speech on the 19th of April, in the House of Commons, against the right of foreign legislation, and the unconstitutional clause of perpetuity in the mutiny bill, was read with avidity, and circulated with astonishing effect. The people were on one hand encouraged by these publications to insist upon their independence; and on the other they were goaded into forenesh and irritation, by the determined opposition given in parliament to the different attempts made to bring it to bear: thus were they incensed at Mr. Grattan's resolutions against foreign legislation not finding admission to the journals: they were provoked at Mr. Yelverton's failure in procuring a modification of Poyning's law: and irritated at the ineffectual effort of Mr. Forbes, to procure a bill for the independence of the judges. They were, in a word, desperate in the conviction, that a majority in their own parliament was purchased with the wealth of Ireland, to negative every question or motion, that could tend to promote their independence upon the parliament of Great Britain.

The session had been protracted to an unusual length: on the 2d of September, 1780, Lord Buckinghamshire put an end to it, by a most gracious speech from the throne. He had on the preceding day been addressed in a very adulatory style by the commons; and the return of the incense appears upon the face of his address to both houses of parliament.

" MY LORDS AND GENTLEMEN,
 " I am happy at length to congratulate you on the conclusion of this session of parliament, though the important measures under
 " deliberation must have made your attendance less irksome to you.
 " If your long absence from your several counties has been productive of
 " any inconvenience, such inconvenience is fully compensated by permanent
 " and solid benefits, the successful consequences of your labours."

" GEN-

"GENTLEMEN OF THE HOUSE OF COMMONS,

"I thank you in his majesty's name, for the liberal supplies you have granted: your chearfulness in giving, and your attention to the ease of the subject in the mode of raising them, must be very acceptable to his majesty: on my part, I assure you, they shall be faithfully applied."

"MY LORDS AND GENTLEMEN,

"THE satisfaction, with which the heart of every Irishman must exult, at the fair scene of prosperity now opening to his country, may equal, it cannot exceed the glow of my private feelings; and whilst you applaud the conduct of Great Britain in removing the restrictions upon the trade of this kingdom, you cannot but particularly acknowledge the unequivocal demonstrations of her sincere affection in admitting you upon the most liberal plan, to an immediate, free and equal intercourse with her colonies.

"The wise and salutary laws, which you have framed, naturally lead to the most beneficial enjoyment of that intercourse; and when I reflect on those great objects, and on your meritorious attention to the trade, agriculture and manufactures of this kingdom, so conspicuously manifested by the laws passed for granting ample bounties on the export of your corn, your linen, and your sail cloth, by the premiums for encouraging the growth of hemp and flax seed, and by the judicious provisions for the better regulation of your manufactures, I feel a conscious satisfaction, that the commerce of this kingdom has been established upon an extended, firm, and lasting basis; and that Ireland must, in the course of her future prosperity, look back to this æra, the labours of the present parliament, and the diffusive indulgence of his majesty, with a most grateful veneration.

"Your own discreet judgment will naturally suggest the expediency, when you return to your several counties, of impressing upon the minds of all ranks of men the various blessings of their present situation. Demonstrate to them, that every effectual source of commercial wealth is now their own, and invites that industry, without which the wisest commercial regulations remain a dead letter, and the bounties of nature are lavished in vain. Cherish such a spirit of industry, and convince them of the essential advantages they derive from their free and excellent constitution, the maintenance of every branch of which in its just vigor and authority, can alone secure their liberties, and preserve their happiness."

Thus

Thus ended a session, that had vainly promised in its opening the brightest prospects to Ireland. The disappointed people felt, and expressed their resentment.

At many of the different reviews, which afterwards took place, the volunteers expressed their political sentiments, and freely condemned the conduct of parliament. They were, however, far from being unanimous. They were not yet as completely united in sentiment, as they were drilled to the use of arms. It was Lord Buckinghamshire's fate to be disapproved of by the ministers of England, as well as to have dissatisfied the people of Ireland. The power of the volunteers had infused real fear into the British administration: they trembled, and condemned Lord Buckinghamshire for effects, which it was not in his power to prevent; and which, in fact, were to be immediately traced up to their dilatory, irresolute, and pernicious councils. Lord Buckinghamshire was recalled, and Lord Carlisle* was appointed in his stead on the 23d of December, 1780.

In the dearth of historical documents of the affairs of Ireland during the latter end of Lord Buckinghamshire's administration, there is an advantage in being able to resort to a very interesting and delicate representation made by the most eminent statesman in the British parliament, of the early spirit, conduct, and consequences of the Irish volunteers, before they had formed themselves into that compact and formidable body under Lord Charlemont, by means of which was brought about the Irish revolution of 1782, which according to Mr. Burke† *most intrinsically and substantially resembled the English revolution of 1688.*

‡ On February 23d, 1781, Mr. Jenkinson (now Earl of Liverpool), secretary at war, moved in the British House of Commons, that the order of the day for the further consideration of the report on the Mutiny Bill be read; when Mr. Fox rose agreeably to his intimation to the house, to move for the re-

* Lord Carlisle took over with him as secretary, his protégé and friend Mr. Eden, (now Lord Auckland) who had published several letters upon political subjects to his patron; and amongst others, one on *The Representations of Ireland respecting a free trade*, of which Mr. Dobbs, in his *History of Irish Affairs*, p. 42) writes thus: "From a letter written by Mr. Eden, the secretary to Lord Carlisle, on the subject of Irish affairs, and which had been answered by Counsellor Richard Sheridan, we had no great reason to rejoice in this change."

† Letter to Lang. p. 46.

‡ 1 Parl. Deb. p. 522.

commitment of that bill,* for the purpose of correcting a very material and important alteration, that had taken place in it. He began his speech with stating, that if he had not been sensible of the difficulty and delicacy of his situation in the question, which he was about to agitate, the observation that had fallen from a gentleman high in office, and an old well-informed member of that house, would have opened his eyes, and convinced him, that he was treading upon ground at once difficult and dangerous. The honorable gentleman had said, that the house ought not to attempt to do that, which it could not fully and perfectly accomplish, and had advised them rather to overlook the attack upon their dignity, by the presentment of a frivolous petition, than attempt a punishment, which they could not enforce. This was his sentiment, it was at all times so, since he constantly was of opinion, that prudence ought at all times to be consulted in measures of dignity, and that they ought not to assert powers of authority at a season when from weakness they were unable to support their claim. To agitate a question therefore respecting the powers of supremacy and superintendancy, which this country asserted over a sister kingdom, at a time when that kingdom was disposed to militate the principle, must certainly be dangerous ground, and particularly so at a moment, when the country was involved in a scene of complicated calamities, and was threatened with the most decisive ruin. He trusted that the house would forgive him, if, in the situation he then stood, he should take up a few minutes of their time in stating his sentiments of the question ;

* 1 Parl. Deb. p. 433. Mr. Jenkinson, secretary at war, informed the house, that there were some alterations made in the Mutiny Act, two of which being material, he thought it right to state what they were, as no alterations ought to be made in an act of so much importance, without the concurrence of the house. The first alteration was the total omission of the word "Ireland," in the act, an omission, which the learned gentleman appointed to draw up and prepare the bill had judged proper, because the Irish legislature had last year introduced clauses in their Mutiny Act, tending to govern and regulate the management of the quartering of soldiers, and other matters relative to military discipline, when at a distance from the capital; the continuing to extend the British Mutiny Act to Ireland was therefore no longer necessary.

Sir George Yonge said, that what the secretary at war had dropped concerning the omission of the word "Ireland" in the bill, appeared to him to be of very serious importance, and required very mature consideration before it was agreed to. If it was intended, that this country should give up all claim to legislation over Ireland, he thought it would be better to declare such an intention, and do it at once. He could never approve of the idea of giving it up bit by bit, by incidental acts of parliament. He therefore wished the house would not hastily settle the question, but go into it, examine it with the attention due to its importance, and make a solemn decision upon the subject.

since

since he knew from experience, that pains would be taken to misrepresent what he should say, in order to place him in a light unfavourable to the people of Ireland. The insidious pains, that had been exerted on a former occasion to misrepresent both him and other gentlemen on the same side of the house, had not altogether failed producing the intended effect, of making them odious in the eyes of a people, whom they loved and honoured. Difficult and dangerous as the situation was, he could not be induced from any apprehensions of personal consequence to permit a matter charged with so much apparent danger to pass unnoticed; at the same time he was not insensible of the unfavourable opinions of his fellow citizens.

He had many reasons of friendship and affection for wishing to stand well in the eyes of the people of Ireland; and it was not his purpose to attack the claim, which they had set up to legislative independency. They had not a friend in that house more warmly attached to their interests than himself. He wished to share the dangers and the alarming tendency of this bill both to the liberties of England and of Ireland, and he thought, to be silent on such a subject would be tacitly to assist in taking away from the people, in order to enlarge the prerogative of the crown, in demolishing and subverting the liberties of the subject, in order to give the prince a means of becoming absolute. He had been held out, he was aware, as the enemy of Ireland, and the first lord of the treasury had been declared to be the best friend of that country, though he had uniformly endeavoured to support the rights and liberties of the Irish, and to give them all they requested long ago, and which the noble lord had positively denied them till they had armed themselves, and then by three specific propositions had given more to force, than he had before denied to supplication. In better times than these, Mr. Fox said, he should probably have entered upon the topic in a manner and in language widely different from that he meant to adopt, and to use on the present occasion. In better times than these, he should have talked of the superintending power of the British parliament over Ireland, and over every part of the British monarchy; but such was the miserable situation, to which the king's servants had reduced this country, that the question was of a very delicate nature indeed, and it was by no means a matter easy to be handled without disturbing what ought not to be disturbed, and without producing consequences, which every man, who wished well to his country, must wish to avoid. In the present question, he wished to speak and act agreeably to

the sentiments of some of the first and best men in the parliament of Ireland. The powers of supremacy and superintendency of this country over her distant connexions were topics, which he knew were at that time dangerous to be touched, but which had never been so at any former period of our history. Ten years ago it would not have been considered as improper or dangerous to talk on these topics, because then they were considered as necessary to the liberties and the well-being of the empire. They were not only considered by that house in this light, but by every part of our extended empire they were allowed and acknowledged the same. It was the weakness of administration, that had given rise to different ideas. America had never complained of these powers till her calm and sober requests were refused, and Ireland had not asserted the contrary till relief was denied, when her grievances were manifest. But now the topics were dangerous to be touched. The weakness and the wantonness of ministers had introduced into that house difficulties and embarrassments, new and unprecedented, and he must yield to the disagreeable necessity of submission. But he might say, that if he had been speaking on this subject ten years ago, he would have found no difficulty in saying, that the superintendency and supremacy of this country was necessary to the liberty of the empire, for many great, and, in his opinion, unanswerable reasons, and that in particular they ought to be careful never to give out of their own hands the power of making a mutiny bill. He would have been able to have advanced various reasons for retaining this privilege, the first and most powerful of which would have been a reason of apprehension, lest at some future moment of negligence or corruption, the parliament of Ireland, the assemblies of any of the colonies of America, or of any other of our foreign connexions, should be tempted or prevailed on to grant a perpetual mutiny bill. If he had advanced this argument, he knew that it would have been immediately said of him, that he pushed speculation to excess, that he was chimerical and libellous in his ideas, for that no house of representatives could be so negligent or corrupt as to grant such a bill, and no people so blind and supine as to bear it. Might he not then now say this when it was not an argument of speculation but experience, and when the parliament of Ireland had actually granted a perpetual mutiny bill to the crown, by which they had invested the sovereign with the power of a standing army, unlimited in point of numbers or duration. There were in the passing of this bill, so granted, also several circumstances of a suspicious nature,

nature, which implied in pretty plain language, that it was imposed upon them by the cabinet of England. It originated in the privy council of this country, and was sent over at a time, when Ireland was loud in their claim of independent legislation. The cabinet took advantage of the heat and the inflammation of Ireland, with respect to independence, and granted them the one thing, provided they would purchase it at the price of the other. They applied to the passions of the country; they seized on parliament in the moment of their warmth, and appealing perhaps to other passions, than those of patriotic phrenzy, they procured the consent of parliament to this, and received a perpetual standing army, in defiance of the declaration of rights. Many of the first members of the Irish parliament were sensible of the shock, which that bill gave at once to the liberties of Ireland and England. Mr. Grattan called upon the people of this country to stand forward and protect the liberties of both, by preventing the dangers and effects of a law so violent and contradictory to the constitution. It was therefore a business, in which both nations were equally affected, and in which they ought equally to unite. It was a species of conspiracy between the cabinet and that part of the people of Ireland, who, anxious for independence, were intoxicated with the idea, and inclined to purchase it at any price. A conspiracy to give a mutiny bill of their own to Ireland, in return for a grant from Ireland of a perpetual army to the crown, a thing wholly unwarranted by the constitution. It was curious and alarming, that in the Irish mutiny bill, the preamble was left out, which recited the declaration of rights. What could be the inducement of that omission? It contained no enacting law, and consequently was in no ways an attack on the legislative independence of Ireland. It was merely declaratory, and as the constitution and the rights in both countries were the same, the declaration of those rights was equally applicable to both. But it was found expedient to leave out the preamble, because the words, "*Whereas it is illegal in the crown to keep a standing army in times of peace,*" were in direct contradiction to the bill, which had been granted. The danger of the bill would appear in its full magnitude, when gentlemen reflected, that all that was necessary now to the maintenance of a standing army in Ireland, unlimited in number and duration, was the power of the purse. He considered the statute of King William, commonly called the disbanding statute, reducing the number of troops to 12,000, and which by a late act had been raised to 15,000, to be still in force with respect to this country, but it was not so agreeable to the present ideas of the people of Ireland

land, so that there was no power sufficiently restrictive on ministers against maintaining in that country an army to any extent. But it might be argued, that without the power of the purse, the power of the army was nothing. It had been the policy of Britain to keep them both in her own hands, and had granted them only for one year. As there was no responsibility in the ministers under the existing laws, and as it was not in the power of either kingdom to bring them to a legal parliamentary conviction, the ministers, who advised the perpetual mutiny bill, were guilty of high treason. The act giving the crown a perpetual mutiny bill, in direct violation of the declaration of rights, was high treason against the constitution of the realm. But how could he get at the authors of the treason in the present circumstances? It was perfectly impossible, for there was no responsibility to be established against them. This difficulty had been incurred by a system of negligence and incapacity. Any other minister would have softened, when it could have been done with propriety; or resisted, when it could have been done with success: but the noble lord had acted contrary to every expectation. When Ireland, in a decent sober style, applied to parliament for relief from restrictions, which were at once impolitic and illiberal, the noble lord attended more to the representations of individual members, influenced by their constituents, the manufacturers of trading towns, than to the unanimous call of a whole country. The minister was obliged, on account of the American war, to court the votes of individual members, and when the gentlemen on that side of the house had carried a decisive question, he came down two days afterwarwards, and resisted their anxious endeavours to redress the grievances of the Irish, when they were temperate in their requests. The honorable gentleman then stated the powerful and the rapid effect of the resolution and the spirit of Ireland. Their associations had done more in a moment than all the effects of friendship in their favor. All false reasoning had vanished; all little partial motives of resistance had ceased; local considerations died away instantly, and the noble lord in the blue ribbon, who had shewn himself the last man to listen to supplication, was the first man to give way to force. The noble lord came down to that house, and by three lumping propositions, did more for Ireland than she had ventured to ask: not that he blamed the noble lord for the concessions: he had acted wisely, and had properly told the house, that commercial considerations ought not to be taken up on a narrow illiberal scale, but should be looked at as great objects.

All

All that he blamed in the noble lord was, for having done that meanly, which he might have done with grace and dignity. An army might thereafter be raised and maintained in Ireland under that law, which, though legal in Ireland, would be illegal in England, and not be the less dangerous, from being illegal. Soldiers raised, enlisted, and attested in England, might be sent to Ireland, and placed under the military law, which in one instance at least was different from the law of England, since it gave the king a power over them in every thing short of life and limb. Though an enemy to the dangerous influence of the crown, he was a friend to its just prerogative; and he considered the power vested in his majesty, of sending troops to whatever part of his dominions, that might require their assistance, a most valuable prerogative. It was on this ground, that the Earl of Chatham said, that retrenching the number of troops to be employed in Ireland, was "*tearing the master-feather from the eagle's wing.*" That bill therefore, containing different laws, became dangerous to the prerogative. Many more things he had on his mind to offer on the subject, but he saw the impropriety of urging all that had occurred to him. He was restrained by the consciousness, that every thing which he said would be misrepresented in Ireland, and that for the basest of purposes. He reminded the house again, that the Irish mutiny bill had originated in this country, and that it had passed under the most suspicious and alarming circumstances. He concluded with saying, that he should move for the recommitment of the bill, when the present question was settled.

Mr. T. Townshend seconded the motion.

The secretary at war spoke in very guarded terms of the extreme delicacy of the subject. It had been a great object in former reigns to endeavour to induce the legislature in Ireland to pass a mutiny bill, which had not been accomplished till the time of Queen Anne. The objects of that bill were the raising, paying, and due government of the army; the bill of Queen Anne went only to the first two objects, but it was a perpetual bill. In the year 1688 the first mutiny bill was passed in England, at which time an attempt was made to pass a similar bill in Ireland, which failed. In 1692 a bill passed the House of Lords, and was sent thither. The great lord Somers was then attorney general; and every one knows how much the attorney general has to do with Irish bills in that stage. The great authors of the Revolution were anxious, that Ireland should have a mutiny bill of their own; and though many attempts

tempts were made to introduce one, it was not until it was known that they would not admit of one, that the word *Ireland* was inserted in the English mutiny bill. This bill was on the same principles, as that now the subject of debate; like that, it obliged the army to obey certain rules and articles of war, published, or to be published, and authorized by his majesty, and like that, it was perpetual; yet Lord Somers, and all those warm defenders of constitutional liberty, who were then in power, approved the bill. Those who had been deeply concerned in settling the Revolution, in framing the bill of rights, and all the measures of that most respectable period of our history, had concurred in their advice in council to approve their bill. It had been sent over to the Lord Deputy Sydney, with an injunction to endeavour to prevail, that it should be passed in both houses. It failed in the commons. The perpetuity of this bill in Ireland, he considered as necessary for the very reasons, that had been urged against it. It was certainly proper to prevent the great inconveniencies, that would arise from the army's being subject to different mutiny acts in different situations of service; yet it would be impossible to avoid it, if the mutiny bill were considered as annual, and subject to alterations in both countries.

Lord Mahon said, he was aware of the delicacy of touching upon the question of the superintendency of the British parliament over Ireland, and of the danger of opposing it in contradistinction to the superintendency of the Irish parliament.

Mr. Burke observed, that in the then divided and distracted state of the empire, when every thing seemed to be falling to pieces, it became men to be firm, and to look on the preservation of what yet remained as their first duty. The question being put, it passed in the affirmative without a division.

Notwithstanding the Earl of Carlisle were sent over on purpose to give firmness and energy to the Irish government, which was considered on this side of the water to have been greatly enfeebled by the administration of his predecessor, he found himself wholly incapable of checking the spirit of volunteering, which now knew no other object, than the attainment of a free and independent constitution. The reviews in 1780 had pointed out the utility of forming regiments: it was clearly perceived, that companies acting separately could never attain military perfection. In the spring of 1781 reviews were again fixed on, and in summer when they assembled, the improved state of the volunteers was obvious to every eye; the reviews were every where

where more numerous, more military, and more splendid. That of Belfast, which in 1780 was the largest, had in 1781 nearly doubled their number: 5383 men then appeared in review, with a train of thirteen field pieces; other reviews had proportionally increased and improved; the volunteers engaged the affection and commanded the admiration of all their countrymen. The inhabitants of the different places where they were reviewed, behaved with unbounded hospitality, and entertained with emulous profusion their countrymen in arms. Lord Charlemont was again particularly distinguished among the reviewing generals, and reviewed a very considerable part of the volunteer army. The addresses and resolutions after the reviews in 1781, were greatly diversified; some contained politics, and spoke bold truths; others avoided political discussion: all felt that Ireland was not free.

*On the 9th of October, 1781, the Earl of Carlisle met the parliament, when after the common place recommendations of the charter schools, linen trade, tillage, fisheries, and general commerce of the country, his excellency assured them, that his majesty ardently wished the happiness of his people of Ireland, in whose affection and loyalty he placed the firmest reliance. “And although,” said his excellency, “I am not directed to call upon you for any extraordinary supplies in this time of general hostility, when these kingdoms are exposed to an unnatural and dangerous combination of enemies, I have not the smallest doubt, but that I shall be enabled to assure his majesty of your cordial disposition to give him every assistance compatible with your means and circumstances.

“No event could more contribute to the public security than the general concurrence, with which the late spirited offers of assistance were presented to me from every part of this kingdom; and I am fully convinced, that if necessity had arisen, it was in my power to have called into action all the strength and spirit of a brave and loyal people, eager under my direction to be employed in aid of his majesty’s regular forces, for the public defence.

“I trust that every part of my conduct will demonstrate, how much it is the wish of my heart to engage your confidence: I shall claim it only in proportion as I shall be found to deserve it, by an unwearied endeavour to promote the prosperity of Ireland; and I am sensible, that this is the

* 10 Journ. Com. p. 210.

“best method of recommending my services to our sovereign, and of obtaining your concurrence toward the ease and honor of my administration.”

It had now become notorious, that government wished to check and disarm the volunteers; but they were frightened into acquiescence; they had before reluctantly distributed amongst them 16,000 stand of arms, and it was now found politic to soothe and court the power they could no longer control.

M. O’Neil moved the address to the throne, which was as usual an echo of the speech; to which no opposition was given. He felt himself called upon to explain, that the words *liberality of the British parliament* were merely confined to the grants of their late extended commerce to America and the West Indies.

Mr. Grattan, after having made some reflections upon the liberality of the last parliament in voting 500,000*l.* and the incompetency of the nation to support Great Britain in the prosecution of the American and French war, took notice of the extreme caution, with which the address avoided mentioning the word *volunteer*; that wholesome and salutary appellation which he wished to familiarise to the royal ear; he would not, however, insist on having it inserted, as he had reason to believe the right honorable mover did intend to make a proper mention of those protectors of their country.

Mr. O’Neil declared he was not deceived in this opinion, that the motion, to which he had alluded, was intended to thank the volunteers of Ireland for that glorious spirit, unexampled in all history, with which they had so eagerly pressed forward, when the nation was thought to be in danger. He then moved, that the thanks of the house should be given to all the volunteers of Ireland, for their exertions and continuance, and for their loyal and spirited declarations on the late expected invasion.

Mr. Conolly seconded the motion.

Mr. Fitzgibbon (afterwards Earl of Clare) thought the vote unnecessary and improper after the censure, which had been passed upon part of that body last session. They were totally incompatible, and could not stand together in the records of one parliament. He therefore moved, that the former censure should be read, before the present motion should receive its decision.

Mr. Bradstreet the recorder observed, that almost at the time the resolution mentioned was passed, parliament relented, and became itself a mediator.

He

He was exceedingly averse from renewing any jealousy between parliament and the volunteers. Error was the common lot of human nature: it was not inconsistent with the tenor of human occurrences, to censure at one time, and give due praise at another; and therefore requested that Mr. Fitzgibbon would withdraw his opposition.

Mr. Conolly found himself so much interested in that affair, that he could not decline expressing his sentiments. He was the person, who had the honor of first moving the thanks of that house to all the volunteers of Ireland, for taking up arms at a critical period. He was happy to be the harbinger of such a token of national gratitude; but when the papers alluded to were published, by some few volunteers, he thought it incumbent on him to get up again, for the honor of the whole, and move the vote of censure, which remained upon the journals, against the dangerous resolutions that had been published. The same spirit that prompted him to applaud the virtuous and patriotic conduct of the great body of volunteers, obliged him to condemn whatever appeared derogatory from that character, in a few; yet, notwithstanding all the misrepresentations, that had been made of his conduct in the public papers, his love and attachment to the volunteers was still the same. The few who had fallen into error, had gloriously repaired the fault; and he would now, with as much pleasure as ever he felt in his life, support the vote of thanks, and move to expunge the vote of censure.

Mr. Fitzgibbon declared, he did not rise to oppose the motion of thanks to the volunteer corps, for whom no man entertained a higher respect than he did; but he rose to preserve the dignity of the house, to prevent their proceedings from falling under the charge of inconsistency. He hoped the conduct of the house would ever be marked by a dignified uniformity, which could not be the case, if they entered into a resolution of thanks to all the volunteers, while the journals of the house contained matter of the highest censure against some particular corps. Those resolutions he therefore wished done away, before the house could proceed to a vote of thanks.

Mr. Scott (attorney-general, afterwards Lord Clonmel,) asserted, that the resolution had been only intended against the printers and publishers of inflammatory paragraphs, and not aimed at the volunteers; that if the honorable gentleman, who now made the objection, had been present last session, he would have joined in the resolution. He had as high a veneration as any man in the kingdom, for the armed associations, or call them by what name

they would, (said he) *a virtuous armed people*. If any blame lay for want of prosecution, it in a great measure lay with him, as the proper officer of the crown. But he could not help thinking that the parliament last sessions, when the respectable name of volunteer was abused, shewed a peculiar dignity in taking up that affair, and then generously relinquishing every idea of resentment, lest it should be considered as extending to the whole body.

After a long debate, Mr. Fitzgibbon withdrew his objection (indeed, every member wished it had never been started,) and the house passed the resolution of thanks with the most hearty and unanimous good will, at the same time ordering the sheriffs of the different counties to present them.

At this critical juncture, the patriotic body of Ireland may with truth be said to have consisted of the minority in parliament, and the whole mass of the people, high, middle, and low, without. They were determined to go hand in hand; to act in concert, and never to desist, till they were free and independent, as was Great Britain. On the 10th of October, 1781, Mr. Bradstreet, the recorder, a very staunch patriot, moved in the House of Commons* for leave to bring in heads of an *Habeas Corpus Bill*, prefacing his motion by observing, that the liberty and safety of the subjects of Ireland were insecure until an *Habeas Corpus Act* should take place; that arbitrary power had made great strides and innovations on public liberty, but was effectually restrained by that law, which had its full operation in England, but did not exist in Ireland. It was, he said, the opinion of a great and learned judge, that this law was the grand bulwark of the constitution. Leave was granted; and Mr. Yelverton and the recorder were ordered to prepare and bring in the same.

Mr. Grattan said, he was willing never to condemn an administration until he thoroughly knew he had sufficient grounds. The ministry of England had offered America the regulation of her own armies; he could not see any reason, why the loyal people of Ireland should be denied that benefit. He would, he said, in due time, bring forward the mutiny act to be agitated upon that subject; and if it were opposed, it would at least have the constitutional freedom and spirit of the country to contend with. A bill for rendering the judges independent during good behaviour, and some other bills, were spoken of. When Sir Lucius O'Brien arose, and said, that a matter of

* 1 Parl. Debates, p. 10.

the utmost importance to the nation, had too long remained undecided, our freedom of trade with Portugal, where goods of Irish manufacture had been stopped, and were not permitted to be sold.

Mr. Eden arose, and agreed with Sir Lucius, that a great deal of time had been spent about this very embarrassing business; but assured the house, that the utmost exertions had been used both on this and the other side of the water, to bring it to a happy determination.

Mr. Yelverton thought there had been some design in the speech, to lead their imaginations away from this important object; it had, indeed, talked of Protestant charter schools, making of roads, digging of canals, and carrying of corn; and contained half a dozen lines that might be found in every speech for fifty years past; subjects more proper for the enquiry of a county grand jury, than for the great inquest of the nation; but not one word of our trade to Portugal; that had been designedly omitted.

On the subsequent day, after some conversation upon the proper time for adjourning, and a strong recommendation from the speaker to bring in the money bills before the close of the session; Mr. Yelverton declared, that he was determined to profit by the excellent advice the speaker had given the house. He gave notice, that immediately after the recess, he would move the house for leave to bring in heads of a bill to regulate the transmission of bills from that kingdom to England. At the present, their constitution was the constitution of England inverted. Bills originated with the British minister, and with that house it only remained to register, or reject them. Such was the miserable state of Ireland, and in that state it would remain, as long as a monster, unknown to the constitution, a British attorney-general, through the influence of a law of Poyning's, had power to alter their bills. So generally had this been admitted by every member of the house, that last session, when he moved for a modification of Poyning's law, gentlemen urged, that though that power lay in the hands of the English attorney-general, yet it was never exercised to any bad purpose; but the declaration was scarcely made, when an altered sugar bill annihilated our trade to the West-Indies: *annihilated* might be thought too strong an expression, but it surely injured it in a very high degree.

After a recess of three weeks, the house met on Monday, October 29th, pursuant to adjournment, when the recorder presented a petition from the guild of merchants, stating, that the great advantages, which that nation was promised

promised by a freedom of trade to all the world, were likely to prove merely imaginary, as from the present almost universal war, our commerce was confined to very few nations, and amongst them, the kingdom of Portugal, from which the greatest hopes had been formed, had refused to receive our manufactures, quantities of which were now actually detained in the custom-house of Lisbon; and praying the house to interfere for redress.

The subject, he said, was nice, and not so proper for the deliberation of a popular assembly, as for the ministerial intervention, which was going forward. He wished, therefore, that the subject might be postponed; and though he were not disposed to pledge himself for a specific measure, or unforeseen circumstances, he would readily promise, at the proper period, to take the lead in the mode, which might best vindicate the just expectations of Ireland, if those expectations should be disappointed.

Sir Lucius rose again. From what Mr. Eden had last said, he understood, that if Portugal did not grant the redress demanded, it was intended to lay a further duty on her wines; this he did not think was a mode proper to be adopted; it was for ever cutting off their trade to that kingdom, and increasing taxes upon the subject. But he thought that granting the supplies for six months only, would be the most likely method of bringing the business to a happy issue. He was sorry to see the business conducted in a timid manner, and in the hands of persons not interested in their welfare, but with a secondary view, who, at most, would only promote it when it did not clash with the convenience of a neighbouring nation. They even doubted whether they were acquainted with the foundation of their right to trade with Portugal. They erred, if they supposed it rested on the treaty between England and that kingdom in 1703; he therefore thought parliament should enter into an immediate investigation of the subject; that if the minister intended to give a strenuous support, he might find himself backed with the whole weight of the Irish nation; but if not, every man would see what was intended, by throwing difficulties in the way of the enquiry, and damping it with cold delay. Mr. Eden appealed to the house, whether he had appeared to throw any difficulty in the way of this important business. With regard to what had been intimated respecting a noble earl, it was a suggestion utterly unmerited, that noble earl being a true and steady friend to Ireland, having shewn himself peculiarly so upon the present occasion, and being in every instance

stance incapable of making a distinction between the interests of his majesty's kingdoms.

The activity of the Castle to ensure a majority in parliament, kept pace with the increase of patriotism out of it. But this system in the new ferment of the public mind, became daily less efficient, and was ill suited to the existing disposition of the country. The people had arms, had power and a determination to be free: they knew the use of their arms, and had imbibed a uniform and steady resolve not to quit them, till they had attained the object of their wishes, a free and independent constitution. It was obvious, that a parliament marshalled as that was, to resist the demands of the people, might irritate, but could not control the wishes of their constituents. Administration confiding in their number, set all the patriotic attempts at defiance, and frustrated or negatived all their demands and claims. Had they so far temporized, as to have made some concessions, though they had resisted others with a good grace, they would have divided, and thereby destroyed the power of the people. The contrary conduct pitted this factitious majority of the senate against the mass of their armed countryman, who now beheld them with indignation, and considered them in fact the only enemy they had to encounter in Ireland.

In parliament there appeared but little cordiality between the leaders of the patriotic party, and Mr. Eden, the secretary, who spoke for, and headed the court party. Mr. Eden was a man of information and talent, and conducted the business of parliament in a manner widely different from his predecessor in that office. Yet such a general prejudice against every thing British at that time pervaded every rank throughout the kingdom, that scarcely a debate occurred, in which some personal reflections were not made on the lord-lieutenant and his secretary's partiality and bias for England. During the whole of Lord Carlisle's administration, the numbers of the two parties in the House of Commons continued nearly, as they had been left by his predecessor. Some of the leading men of each party had shifted sides. It has been the melancholy and degrading fate of Ireland, that although there have always been a standard of patriotism erected in their House of Commons, few indeed have been those, who have rallied round it from a pure and disinterested love of their country; still fewer, who have persevered in their patriotism through their political career of life. Early in the present session,* Mr. Flood declared,

* Viz. on the 1st of Nov. 1781—1 Parl. Debates, p. 30.

that

that when he had quitted the house last session, he had left them the most dignified and virtuous assembly on earth: he expected now to find them such. And he said, that the fate of the nation depended on the motion then before the house (for going into the consideration of the Portugal trade): that they should not trust to any minister, that countenanced a perpetual mutiny bill: and that they would be execrated by posterity, if they abandoned that motion.* On the other hand, we find Mr. George Ponsonby declaring, that now he saw the minister acting obviously for the honor and interest of Ireland, he thought it his duty to support him, and he would ever assist him while he acted upon the same principle. He said, he thought this was the time, that all gentlemen of rank and property in the country, should support government: it was to men of that description that administration applied, and by them he trusted they would be supported.†

The debate, which brought forth Mr. Flood in opposition to the minister, was on the supplies, and it involved the question upon the state of the nation.‡

It

* Which was negatived by a majority of 117 against 44. 1 Parl. Debates, p. 30.

† Sir Frederick Flood severely reprehended the honorable gentleman, for declaring that he would support a ministry, that could be so base, so infamous, so corrupt, as to take away gentlemen's employments, merely because they acted according to the dictates of their consciences. Mr. George Ponsonby had admitted, that nothing but public spirit could induce him to risk the loss of one of the best appointments government could bestow. 1 Parl. Debates, p. 41.

‡ Dr. Campbell, who was present at the debate, gives this account of it. P. 458 Phil. Surv.—The same author favours us with the following observations upon some of the speakers in that debate:—Mr. H. Hutcheson has a mellifluous voice, and pleasing elocution. His exordium gave me hopes of great matters; but his oratory is of that wordy, ostentatious kind, which must sometimes disappoint your expectations. He is here called Prancer, from some similitude they find in him to a horse in the manege, curvetting at the height of his mettle, without making any progress forward.

Mr. Scott, the solicitor-general, is one of the most powerful supporters of government. He does not affect making long speeches, though one of the ablest advocates of the bar; his talent lies in promptitude of reply, in dilution of objections, and in turning the arguments of his adversaries against themselves.

Mr. Hufsey is a fine speaker; his expression is clear; his language flowing; his action graceful; and his manner persuasive. Mr. Yelverton is vehement and forcible. But the greatest pleasure I received, was from a very young man, a Mr. Denis Daly, whose sentiments were such as became a country gentleman, and whose manner was vastly engaging. He was clear, he was manly, he was copious. His invective against the secretary was so keen, and so poignant, that Demosthenes, at his

age,

It was amazing, how differently that state was represented by the different parties. On one side of the house, it was holden forth as the most flourishing of any country under heaven, and that nothing was wanting to make the people the most happy in the universe, but a contented resignation to the present measures of administration: on the other side, you might have heard it represented as the most injured nation on the earth, despised as an alien, insulted by pensions, oppressed by taxes, and fettered in commerce. Mr. Ogle painted the miseries of the common people in a most affecting manner.

Mr. Flood spoke, for the first time, on the opposite side of the question; but he confined himself to calculation, and affected rather to demonstrate than persuade. But there was no spark of that flame remaining, wherewith he is said heretofore to have set the galleries in a blaze. It would, to be sure, have been extremely embarrassing for him, to have played the orator in behalf of measures, which, for a series of years, he had employed every art of rhetoric to stamp with infamy.

It was in this debate, that Mr. George Ponsonby said, that he rejoiced to see the right honorable gentleman, after an eclipse of seven years, burst forth into such a blaze of eloquence; to which Mr. Flood, in rising to answer what the attorney-general had said concerning the prosperous state of the kingdom, thus replied: an honorable gentleman (Mr. Ponsonby) says, I am emerged from a seven years eclipse; it is true I supported Lord Harcourt's administration; but was I eclipsed, when, on several occasions, I went not with them, and gave my reasons for so doing? I also supported the last administration; but on that great day when a free trade was demanded, was I eclipsed? When a declaration of rights was the subject of debate in this house, did I shrink from the question?

Probably, as the gentleman says, ministerial resentment may deprive me of the place I hold, for I am not near enough to my royal master to take shelter in his virtues. Gentlemen speak of the prosperity of this kingdom from our free trade, as an instantaneous operation; but the growth of a nation, like the

age, would not have been ashamed of it. He lifted up his voice, he said, in behalf of his oppressed country, which he had just heard represented in such an opulent condition. I, who had so recently seen the scenes he so pathetically bewailed, could not help going along with him in every thing he said, that was not personal. Yet, what was advanced by the friends of administration, was, in some degree, true; the kingdom being certainly, upon the whole, in a progressive state of improvement. What must it then have been, if things are so much mended?

oak tree, is slow, though gentlemen think they see it vegetate. They have, indeed, seen wonders, but they were of another kind. They have seen their country defended against France and Spain, when the minister had abdicated its defence; when, after borrowing 1,203,000*l.* he was not able to protect them: the volunteers, 50,000 freemen, at their own expence, armed and disciplined, stood forth; the chosen men of the land approved, they gave them an example of firmness and moderation.*

On the 13th of November, 1781, a very warm and important debate took place in the Irish House of Commons respecting the mutiny bill. Mr. Grattan made a motion for bringing in heads of a bill to explain, amend, and

* What Mr. Flood said of himself on the 10th of November, shews how much he took to heart the loss of his appointment: and it justified what Sir Edward Newnham, in the debate on the 8th, had remarked, lamenting, that gentlemen should lose their places for acting conscientiously; but that it ever would be so, until placemen and pensioners were by law excluded from parliament, (1 Parl. Debates, p. 47.) Mr. Flood arose: he recapitulated what he had said on Thursday last, concerning the state of the national finances, and the ruin that must necessarily ensue, if the same destructive mode of running in debt was still continued. Within the last years, the country, says he, has advanced to destruction with unexampled rapidity. The loudest declaimer that ever made your walls re-echo, never ventured to suggest such an accumulation of debt. But if you have outgone example, if you have outgone the boldness of declamation, in your career to ruin, will any man say, that the prosperity of this country has likewise outgone the power of declamation, when the expence of your military establishment alone is equal to the whole of your revenue? Do you call this prosperity? Do you call running in debt prosperity? I do not now speak to retard your proceeding in business. I do not intend to divide the house upon the question; nor am at all ambitious of applause; but I thought, and still think, that my proposal of going into a committee on the state of the nation, where some mode of retrenchment might be devised before we granted a supply, was a moderate, a reasonable plan; and I did hope, that after twenty years experience of my conduct, I should not be told in this house, that I was urged on by disappointed ambition. I have been gratified by almost the highest and most lucrative office that my sovereign can bestow; and the secretary knows whether ever I requested any favour of him. Is this then disappointed ambition? It cannot be supposed, that I am not satisfied, because I am not invited to take a lead upon the treasury bench, for I do not wish to take a lead upon that bench. There is no man in the kingdom, to whom the words of disappointed ambition are less applicable than to me. 'Tis a hard measure indeed, if, after twenty years service, I meet with such treatment. The house can testify, that before I entered into office, I was uniform in my desire of extricating the nation from debt; when in office, I attempted to do it even by the disagreeable expedient of proposing new taxes; and if now I am about to lose my employment, which I regret only as it deprives me of the power of serving my sovereign, shall I be told that I am actuated by disappointed ambition; because I do not wish, that the nation should run in debt more? My ambition has been, when out of office, not to be factious; and when in office, not to be venal.

limit

limit an act to prevent mutiny and desertion in the army;* which was seconded by Mr. Flood. On this occasion some few of the more independent members

* This great patriotic orator thus prefaced his motion (1 Parl. Deb. p. 51.) he said, that in the 18th century, however astonishing it must appear, he rose to vindicate Magna Charta, sanctified as it was by the authority of 600 years. He called upon gentlemen to teach British privileges to an Irish senate. He quoted the laws of England, first, because they were laws, secondly, because they were franchises; and they were the franchises of Irishmen as well as Englishmen. He was not come to say what was expedient, he came to demand a right; and he hoped he was speaking to men, who knew and felt their rights, and not to corrupt consciences and beggarly capacities. He begged gentlemen to tell him why, and for what reason, the Irish nation was deprived of the British constitution? He said, the limitation of the mutiny bill was one of the great hinges of the constitution, and ought it then to be perpetual in Ireland?

No man could doubt as to the point of right respecting the army; he would even resort to the question of necessity. We want not an army as Great Britain does; for an army is not our protection. Was your army your protection when Sir Richard Heron told you, you must trust to God and your country? You want it not for defence. You want it not for ambition. You have no foreign dominions to preserve, and your people are amenable to law. Our duties are of a different nature. To watch with incessant vigils the cradle of the constitution, to rear an infant state, to protect a rising trade, to foster a growing people. We are free, we are united. Persecution is dead. The Protestant religion is the child of the constitution; the Presbyterian is the father. The Roman Catholic is not an enemy to it. We are united in one great national community. What was our situation formerly? We were a gentry without pride, and a people without privilege. The British constitution lay upon the ground like a giant's armour in a dwarf's custody.

At length the nation asserted itself, and though the declaration of rights was not carried, which I proposed as a measure safe and innoxious; yet our spirit made us a nation. British supremacy fell upon the earth like a spent thunderbolt. The minister feared to look at it. The people were fond to touch it.

Yet though we have no necessity for an army, and have asserted our freedom, we have followed that assertion by erecting martial law, and a perpetual dictator for ever. I laugh at the argument, that this law is the charter of our freedom. Is the 6th of George I. repealed? Why does not the minister come forward and declare our rights? No, all is mystery, all is silence. Besides, the present mutiny law is defective, no enacting part, and articles of war are become the law of the land; by which there is no safety left either to England or Ireland. We have suffered an armed prerogative to issue out of a claim of right.

Besides, the power of the purse is given up already by the hereditary revenue, that original sin of your ancestors, which visits you from generation to generation. This is the very alarming consideration to those, that love liberty better than the profits of office. Yet we have added the tide of power to the sink of influence, and have bid majesty to govern by either. The power of the purse you have long lost. You have now lost the power of the sword. The question is, will men prefer a biennial to a perpetual mutiny bill? Will men lay their hands upon their hearts and decide the question?

members of the ministerial party sided with the opposition; the division being 77 for and 133 against the motion. Of this circumstance Mr. Eden took notice, by expressing his concern to differ that day in opinion from some gentlemen, with whom he wished and hoped in general to concur; but it was a consolation to differ on a point of mere speculative reasoning, and not of permanent importance. As a servant of the public, and filling a very responsible situation, he was determined, at all times, to guard against the enthusiasm of the day, whatever it might be; and to preserve coolly and respectfully the even tenor of his way, on such principles as seemed to be calculated for the advantage of the public. He concluded with saying, that having doubts on the foundation of the question, and no doubt of its present unimportance, he would resist the motion. He had found the mutiny law recently established on solemn discussion, and by large majorities; the execution of it had passed immediately through his hands, almost from its commencement, and he had found it full of expediency, and void of mischief. It was the act of a session, of which all within those walls ought to be proud, it was the act of a session, to which all out of those walls ought to feel reverence and gratitude.

The heads of the new mutiny bill were most violently supported by the heads of the patriotic party, and as violently opposed by the ministry. Much intemperate language passed in the house, but the proportion on the division

Suppose that a company of British merchants should petition an English parliament to restrain your trade again, and that the requisition should be acceded to; what would you do without any resources to support your rights; without a navy? You could not resist such a mandate; and every idea of coping with such tyranny would be in vain when you have resigned the sword. When two thirds of your revenue are granted in perpetuity, the power of parliament cannot preserve the free trade of the kingdom. Be assured that England will never grant to your meanness what she refuses to your virtue. In the infancy of this very act, why did not the advocates of its present form come forward, and propose it a perpetual mutiny bill? No. They knew such language would ill suit the ears of parliament, as it then stood disposed in the public service.

He then resorted to the other argument with regard to the unity of discipline, &c. which having stated, he said, if you are competent to regulate your commerce, why not competent to regulate your own army? Commissioners have been sent to America, to offer a branch of the British empire, in arms against the parent state, unconditional terms to tax themselves, and regulate their own army. Two of the commissioners have been sent over to govern this kingdom. Will his excellency, or the Right Hon. gentleman his secretary, say, that Ireland is not entitled to the terms offered to America? That the loyal and affectionate sister of England is not entitled to the indulgence holden out to the enemy of England, to the ally of France? It is impossible,

remained

remained nearly the same; on that which took place upon this question on the 29th of November, the numbers were 66 to 146. On which occasion, just as the question was about to be put, Mr. Eden rose, and said that he gave that interruption, not from any anxiety about the decision, which was easy to be foreseen. It had been avowed, he said, that the object of the bill then proposed, was substantially the same as that, which had recently been negatived by a large majority: it would therefore be an unmanly and unworthy idea, if it could be supposed, that the house would adopt a bill under one title, which upon the fullest discussion had been rejected under another. His anxiety was on another point; he was anxious for the order of parliament, and especially when that order entrenched on the barriers of the constitution. Where would be the end of parliamentary discussion and debate, if points fully agitated and decided, might be thus resumed in the same session? Where would be the safety of the constitution, if the practice should be established, that a measure rejected to-day upon a fair hearing, might be brought forward again to-morrow, or whenever the disappointed party on either side of the house could frame a majority to carry it either by surprise or by influence? He wished for a decision on the point of order; if however it should not be agreeable to the speaker to give that decision, he would not urge it; but having stated the objection, would give his negative to the question. Upon which Mr. Grattan replied. It is very odd, that the same chorus of voices, which formerly said, this was not a mutiny bill, should now admit that it is; but rest their defence on its not being like to that of England. The Right Hon. member thinks, that without a flagrant violation of the rules of parliament, he cannot now bring in the heads of a bill proposed; but I desire he will consider, that those heads are only to explain and amend. The Right Hon. gentleman says, he has no anxiety as to the fate of this question. I am sorry he has no anxiety. I am sorry he can state this to parliament. But is this security founded in the potency of the arguments, that were used on a former night? If it be, it was not even then asserted that a perpetual mutiny bill is better than a limited one; for even then his friends gave up the principle. I have a note, a faithful record of that night's proceeding, and I find, that no man in the house said it was better; but though it may be against established form, yet I think the powerful arguments, that have been used should plead for another hearing. If gentlemen be not afraid that the public mind should receive constitutional truths from one side of the house,
and

and perceive the contemptible shifts of the other side, they will not oppose the motion. There is not a man in the house, but knows that it is the wish of, there is not a man but knows, that the nation will be gratified; that the nation will carry this law as it carried the octennial bill; that bill, which was debated session after session, but which at last was conceded to the voice of the people.

Mr. Flood asserted, that the example of parliament in reconsidering the absentee bill was a sufficient precedent, and should be followed. That bill, he said, had been reconsidered, and Mr. Malone, that most experienced senator, though before he came to the house, he had declared against the propriety of reconsideration, yet afterwards made a most animated speech in favour of it; but common sense (says he) tells us we should seldom consider any subject so seldom as once; why therefore, should we stifle a matter of such importance? Do gentlemen think that suppressing the evidence of truth will give content? Do they think that they are of so much consequence, that their mandate will quiet the people? I would, said he, speak upon this subject till I fell prostrate upon your floor, had I any hope of being successful; but if what has already been offered should fail of its effect, how shall I hope to change your resolution?

Upon the receipt of the melancholy news of the surrender of Lord Cornwallis's army to the French in America, Mr. (afterwards Lord) Yelverton rose in the House of Commons on the 5th of December, 1781, and thus addressed them.

* "I had determined this day to bring on a motion, which I think it my indispensable duty, at a proper time, to pursue; a motion of which I will never lose sight, until a mode of legislation, utterly repugnant to the British constitution shall be done away; but the melancholy intelligence received from America has, for the present, diverted my attention from that object, and turned my thoughts into another train; and I think it but decent to defer the consideration of Poyning's law, and for the present devote my whole

* 1 Parl. Deb. p. 124. This speech of Mr. Yelverton is so fraught with true patriotic and constitutional spirit, and so pointedly appropriate to the union of the two kingdoms, that I cannot forbear calling the attention of the reader to its relevancy to the then as well as since existing circumstances of Ireland.

faculties to the momentous situation of the public affairs of the British empire.

I have always looked upon the true interest of Great Britain and Ireland as inseparable, and I thank Heaven we have now more reason to say so than ever. Great Britain cannot experience a misfortune which we shall not feel. She cannot gain an advantage which we shall not partake. It would then ill become the approved generosity and unshaken loyalty of the Irish people, to remain in silent apathy, or fallen insensibility on so great an occasion, when Britain, surrounded with enemies, and struggling with magnanimity against a warring world, becomes the object of admiration of every generous mind. But when, as Irishmen, we consider our connexions with England, what ought to be our feelings? We are called upon to testify our affection, and unalterable attachment to that country, and to convince foreign nations that we do not despair of the common-wealth, but that the British empire still has power and resources to render her formidable to her numerous enemies, and to convince them that the dismemberment she has suffered, has only served to draw the remaining parts into closer union and interest.

I will therefore move, that an humble address be presented to his majesty, to express our unalterable loyalty and attachment to his majesty's royal person, family, and government, and to assure his majesty that in the present critical situation of affairs, when his majesty's dominions are exposed to a powerful and dangerous combination of enemies, we think it peculiarly incumbent on us to declare our warmest zeal for the honor of his majesty's crown, and our most earnest wishes for the British empire.

That conscious that our interests are become inseparably united with those of Great Britain, we feel that the events of war involve both countries in a common calamity; and to intreat his majesty to believe, that we hold it to be our indispensable duty, as it is our most hearty inclination, cheerfully to support his majesty to the utmost of our abilities, in all such measures as can tend to defeat the confederacy of his majesty's enemies, and to restore the blessings of a lasting and honorable peace."

Several friends of Mr. Yelverton's conceiving, that his motion would commit them into an approbation and support of the American war, on that account alone declined supporting it: the question however being put, the motion was carried by a majority of 167 against 37.

On

On the 7th of the month Mr. Grattan being called to by the house, rose to state to them the financial situation of the country ; but previously intreated them not to give a *Rake's* ear to a subject necessary for their consideration, though painful to their patience. Your debt, said he, including annuities, is 2,667,600*l.*; of this debt, in the last fourteen years, you have borrowed above 1,900,000*l.* in the last eight years above 1,500,000*l.* and in the last two years 910,090*l.* I state not only the fact of your debt, but the progress of your accumulation, to shew the rapid mortality of your distemper, the accelerated velocity, with which you advance to ruin ; and if the question stood alone on this ground, it would stand firm ; for I must further observe, that if this enormous debt be the debt of the peace establishment, not accumulated by directing the artillery of your arms against a foreign enemy, but by directing the artillery of your treasury against your constitution ; it is a debt of patronage and prostitution.

The next quantity I shall consider is, the growth of your expences for the last fourteen years ; I will consider all your expences, that you may see the whole of your situation ; I will consider the expences of collecting the revenue, of bounties, of establishments, of extraordinary charges, and the interest of the public debt ; and I say, on a comparative view of expences of two years, ending Lady-Day, 1781, the increase in the latter was above 550,000*l.* a sum astonishing, if you consider that the whole biennial revenue and estate of the nation is not 2,000,000*l.* and that the whole additional supply is not 520,000*l.* so that the mere increase of national expence, in the course of fourteen years, has exceeded one fourth of the nation's estate, and the whole of her additional duties. Let the Right Hon. gentleman high in office, who calls these expences ordinary expences, who calls the supplying them by new loans the ordinary supply, justify this enormous increase ; let him prove, that the scale of the expence of government was too small in 1767 ; let him shew what exertions we have made by sea or land ; let him produce some nobler monument than secretaries provided for by Ireland, or than their creatures satiated by Ireland, or their supporters paid by Ireland, to justify this rapid accumulation. I can produce the record of parliament, to prove that in 1767, you thought your expences too great, for you refused the first proposition for an augmentation in 1767, and gave as a reason that you were then overburthened, and in 1769, you complied with a second application,

tion, upon a promise of reduction, which promise was broken; and in 1771, you resolved, that the then expences of government ought greatly to be reduced, though incomparably less than at present.

I have considered the growth of your expences, I will next consider the growth of your revenues; you made since 1767 two efforts to raise them, one in 1773, when you granted in new taxes about 180,000*l*. and another in the last session, when you granted what was estimated at near 300,000*l*. for the two years, but in our experience has produced something less than 50,000*l*.

The revenues of the two years ending 1781, including loan duties, and aided by new taxes, have produced 1,908,000*l*. In the two years ending 1767, without new taxes, the revenues, including the loan, produced 1,846,000*l*. Increase of revenue in the two years ending 1781, 60,000*l*. Increase of expences, 550,000*l*. a sad disproportion this! The cause of it is obvious; we are governed by a succession of ministers, who have no interest in this country, but that of raising themselves from those beggarly difficulties, to which they reduce the king and kingdom. I know not how it is, but at first we are charmed with them, we admire their affected consequence, and easy effrontery. They find in the private indulgence of the gentlemen of the country, public support; the nation becomes implicit, and from a course of bad and profuse policy, is periodically convulsed; we were so in 1779, and from distress, the effect of our bad policy, became for that time virtuous. I speak of the session of 1779, with diffidence, because I had some share in its proceedings: I shall therefore only give it negative praise. I will say of the early part of that session, that no man then talked of the public with contempt, nor of liberty as a matter of speculation, nor did gentlemen of property affect to join government in the putting a negative on all constitutional questions. The secretary at that time left parliament to itself, and the people to themselves; he did not pension a press to write against the liberty of the subject; he did not connect himself with libellers, nor was he himself a traducer of men; he could neither corrupt nor answer, nor did he take into his venal hand a lifeless pen to propagate the poison of his prostitute principles; but such times are over, we are now more aristocratic and abject, and we argue on public subjects, as we did before on the freedom of our trade, with the same confidence and indifference.

I have stated the growth of your expence and your revenues. I will state the excess of the latter, it is 484,000*l*. in the two last years: how will you

supply such a deficiency? Not by borrowing session after session on lotteries and loans, nor by adding to your taxes, for then you must nearly double your additional duties, which are little more than the deficiency. Nor can you wait until the increase of population and manufactures, which certainly will increase, but will not increase with a rapidity sufficient to supply the biennial deficiency of 484,000*l*.

It was said in a former debate, that we were adequate to our present expence; and we were taught to believe, that the ability of the nation had in the last year greatly increased. I deny the fact: on examining the exports of the manufactures of cotton, woollen, and linen, we shall find the exports of the two former have been next to nothing, and the export of the latter greatly declined; and on examining the import of cotton and woollen, we find the increase prodigious; and on the whole I do say, that the year 1781 was above half a million in these very articles less in your favor, than in the year 1780, so much better was the non-consumption agreement than the free trade hitherto has been. The gentleman, and particularly one Right Hon. gentleman, has mis-stated our state of commerce, but he has been much more inaccurate in the state of our revenue; for I remember in the last session, he stated the new taxes as adequate to produce 260,000*l*. in the two years, but in the experiment, they have not produced 50,000*l*. He stated the new tax on sugars at 55,000*l*. a year, which tax has not produced more than 20,000*l*. He stated the tax on wine at double the produce. He stated the old revenues at 100,000*l*. a year more than the produce. He stated a saving under the heads of pensions and of exceedings, and also a new revenue by the establishment of a post-office under our own law. This promised saving, and this post-office, would have amounted to 90,000*l*. which is a greater produce than all his taxes; and to shew how apt the most intelligent man is to be deceived in a ministerial situation, when he speaks on the subject of revenue, I will state a very remarkable transaction which relates to the Right Hon. gentleman in Lord Buckinghamshire's administration, in 1777. A motion was made to resolve, that in every session of the present reign, we had added to the public debt; the Right Hon. gentleman voted for the resolution, and gave this reason, "that Lord Buckinghamshire's administration should be contrasted with his predecessors, who had added to the public debt," inasmuch as under Lord Buckinghamshire the practice of accumulating debt was to cease; but in the ensuing March we borrowed 300,000*l*. and

and in the next session 610,000*l*. I state these things, not to reflect on the right honorable member, but to shew his fallibility on the subjects of trade and revenue.

I have stated your expences as exceeding your income, 484,000*l*. and as having increased in fourteen years above half a million. As to the application of your money, I am ashamed to state it: let the minister defend it; let him defend the scandal of giving pensions, directly or indirectly, to the first of the nobility, with as little honor to them who receive, as to the king who gives. Let him defend the minute corruption, which in small bribes and annuities, leaves honorable gentlemen poor, while it makes them dependent. When you go into the committee, you will find abundance of matter; the biennial charge of barracks, equal to the lodging money of the army, and you will find the resident army not more than nine thousand, though stated at some thousands more: you will find waste as well as corruption; you will find the mere expence of furnishing the Castle, ridiculously extravagant: but I should be ashamed to enter minutely into these items; let a committee be appointed. He adverted to the late administration, and the promise of Sir Richard Heron, not to add or supply a pension, which promise had been broken. He addressed himself to Mr. Eden and Mr. Foster, to warn them against expensive measures, and from falsely estimating the abilities of the nation; he inveighed strongly against every species of expence and venality, of unaccountable waste, and ill-directed profusion; and moved that a committee should be appointed to examine the expences of the nation, and to consider of such retrenchments as should seem necessary.

Mr. Foster said, that unprepared as he was, he was able to refute every position the honorable gentleman had adduced: he observed Mr. Grattan had taken a period of profound peace, and compared it with a period of war. From such a comparison no inference could be drawn, which could be fair or conclusive. He said, that asserting they had borrowed 910,000*l*. in two years, was uncandid, for that sum was to answer the expences of at least four years, and in some measure, of six years. That the manner of stating the expences in 1767, and in 1781, had been uncandid; for the whole aggregate charge of, including bounties, &c. and loan interest, had been stated as the expence of government; whereas the payment of bounties, &c. (which were granted by parliament), the government could not control, and the interest of the loans the parliament could not diminish. Now, said he, the bounties in two years, ending

Lady-day, 1767, amounted to about 34,000*l.* whereas the bounties in two years, ending Lady-day, 1781, produced 200,000*l.*; and if we further deduct from our present expences, the salaries of the vice-treasurers, and clerk of the pells, amounting to near 30,000*l.* in two years, which were not on the establishment in 1767, and for which they gave up their fees in favour of the public, the increase of our expences will not appear very enormous, if we consider how much the nation has risen in consequence, and that we are in a state of war. He said, there were other errors in Mr. Grattan's account, and that the increase of our expences was by no means alarming, or so extraordinary as had been represented. That the expences of government were not greater in the last two years, than in the two years ending Lady-day, 1777; and that they were less than in the two years ending Lady-day, 1779, by a considerable sum. He said, if Mr. Grattan had been candid, he would have taken two periods of war, but that he had declined; he would therefore state the expences of government in the two years of the last war, ending Lady-day, 1763: the civil and military list, and extraordinary charges, amounted at that period to 1,679,043*l.*—the civil and military list, and extraordinary charges in the last two years, amounted to 1,683,162*l.*; the excess in the last two years is therefore only 4,119*l.* a sum, which he thought could not justly alarm the nation: 4000*l.* increase in the course of twenty years!

He then adverted to Mr. Grattan's assertions, respecting the taxes he had proposed in 1779. The honorable gentleman had said, he had estimated the taxes at 130,000*l.* a year, and that they had produced only 50,000*l.* in the two years, ending Lady-day, 1781. What kind of argument was this, to say they had produced only 50,000*l.* in two years, when they had been in operation only nine months? He had, as it was fair to do, estimated the taxes on an average produce of the six last years, and in some his calculation had proved true. He could not have divined that the sugar bills would have combined and ceased working, in hopes of monopoly; nor have divined the loss of the West-India fleets, the capture of our islands, the danger of navigation from the war, and the increased price of the commodity. He should have calculated otherwise. Respecting the post office, he never proposed it as an actual fund: but as an Irish post office was then in contemplation, he thought it better that the kingdom should rest in the hopes of such a fund, than lay duties in the place of it, which might be unnecessary.

What

What the honorable gentleman has said respecting the balance of trade, would really alarm him if it were true. (Mr. Grattan said, he confined himself to the articles of linen, cotton, and wool.) Mr. Foster proceeded. The balance of trade must be taken upon the whole of our trade. We never have had such large exports of beef as of late; those of pork had been incredible. If their linen market were bad last year, the markets of the present year were uncommonly good; and in the first year of our free trade, they had exported woollen goods to the value of 400,000*l*. Who could think that, under these circumstances, the balance of our trade had declined? (Mr. Grattan here interrupted Mr. Foster, and said, I admit that the nation is rising fast to prosperity, if ministers do not oppress her.) Mr. Foster gave other advantageous views of the situation both of the expences and revenues; and he concluded by saying, that as he had refuted every position Mr. Grattan had adduced, as reasons for going into a committee; and as he saw no one of any kind, which could induce him to think a committee necessary, he should oppose this motion. In asserting the necessity of œconomy, he said he had ever been, and ever should be, its warmest advocate.

Mr. Eden observed, that an enquiry into the state of the public expences, would shew he was using his best industry and exertions to promote an efficient collection of the revenue, and to prevent improper expenditure. He would not however admit a proposition resting upon assertions of public poverty, which was not felt, upon abuses, which did not exist; and upon charges employed against the late administration, which deserved and possessed the grateful regards of that kingdom. With respect to the biennial accounts of 1767, which had been compared with the biennial accounts for 1781, in order to shew an exceeding in the latter to the amount of 520,000*l*. he said, that when proper deductions were made for the parliamentary bounties, the loan duties, the vice treasurer's salaries, and the absentee taxes, the exceeding was less than 100,000*l*, which was matter of fact, not of calculation: and it should be also recollected, that the latter being a period of war, must necessarily be attended with various expences, from which the former period was exempt. With regard to the Portugal business, which had been incidentally mentioned as decided, Mr. Eden said, that it was not yet brought to a conclusion, but had every appearance of ending in the most satisfactory manner. At twelve o'clock the house divided upon Mr. Grattan's motion; when there were 65 for it, and 143 against it.

On

On the 11th of December, 1781, *Mr. Flood entered upon the important subject of Poyning's law, with great erudition and eloquence. He said, that it was highly unconstitutional for any of the three estates, king, lords, or commons, to intrench upon the privileges of either of the other: that each had its separate and distinct province. The deliberative authority of the state resting with the houses of lords and commons, the executive with the king. That the constitution had invested the two houses with the deliberative authority of propounding and framing laws, by which the people were to be governed, because they themselves were the people's representatives, and had given the king only a negative on the laws when proposed, because he was the executive officer, and had no occasion for any right of interference in the business of legislation, but just so much as was necessary to defend his own prerogative from the encroachments of the other estates, which he was sufficiently enabled to do, from a power of negating any law which he thought might be injurious to that prerogative. But this, which was the beauty and strength of the British constitution, and to which the people of Ireland were fully entitled, as participating in that constitution, had been wrested from them, not by the act of the 10th of Henry the VIIth, commonly called Poyning's law, nor by the explanatory acts of Philip and Mary, but by the corrupt and vicious construction and interpretation given to those acts, by the twelve judges of England, but more especially by the decision of nine judges of Ireland, whose names that decision had consigned to everlasting infamy. Yet corrupt and venal as that decision was, there were two subsequent authorities generally urged in support of this false construction of the law, that went further than even the judges had ventured to go. Here, he observed, that the reigns antecedent to the coming of the family of Stuart, had produced the worst precedents for the English, and the reigns since the worst for the Irish constitution. The first warp and perversion was given in the reign of James I. who came from the throne of Scotland, to that of England and Ireland, filled with Scottish prejudices, and entertaining a very exalted notion, indeed, of royal prerogative. In very early times the Scottish parliaments enjoyed the full power of enacting all laws; the king only put them in execution, but had not even a

* Parl. Debates, p. 153. Mr. Flood's speech on this important law to Ireland, is a most solid and explicit statement of the nature, spirit and operation of it; and the best historical clue to the development of the many political manœuvres carried on under its sanction.

negative on their passing. This was much less power than a king ought to have; and in time the Scottish kings contrived to acquire more; for at the period that parliament enjoyed this plenitude of power, attendance on public business was thought a very great hardship. There are many instances of boroughs, &c. praying to be eased of the burden of sending representatives. This reluctance and disinclination to attend, gave rise to an alteration in the constitution; for in order, as much as possible, to ease the members of parliament, that their term of attendance might be shortened, and that they might only have to decide upon such laws as were to be passed, a committee was selected under the name of Lords of Articles. The office of this committee, was to prepare all the laws, which the parliament was to pass, consequently it became an object of great importance to the Scottish kings to have the selecting of the persons, who were to sit in this committee; and this object they found means to attain. Then began that favorite doctrine, "that the parliament could not take any matter into consideration till it had been propounded on the part of the crown;" and though in the worst times, it was never fully obeyed, so as to make the king absolute master of the parliament, yet the power acquired by the king in nominating the Lords of Articles, put the parliament down as much below its natural dignity, as the king had formerly been. King James attempted to introduce this practice into Ireland, and with but too much success; for when some opposition was made to it in parliament, he sent over for a committee of the members, whom he ordered to attend him in England, and having lectured them upon the sublime authority of kings, and the mysterious art of legislation; and having informed them, that it was a subject above the capacity of parliament, those gentlemen came home much better courtiers than they went, and consented to a resolution soon after proposed, "that parliaments were but humble remembrancers to his majesty." Another attempt was made to divest parliament of their authority, which, indeed, had no weight as a precedent, being under the infamous administration of Lord Strafford. The Lords of Ireland he had reduced so low, as to make their own journals the record of their shame; and the Commons, (whom at his first coming he had called together, and from whom he had demanded a supply,) pleading the poverty and inability of the nation, he told them; that he stood there in the person of the king, not to supplicate, but demand his right; and if it were refused, he would think himself bound to use the army to enforce it. Mr. Flood then went back to an early period

period of the English history, and proved the manner of originating laws in parliament, on which the king had only a negative, and that even during the most despotic reigns, till the pernicious principles brought in by the Stuarts, were attempted to be enforced against the people's rights; and the unfortunate Charles fell a victim to his own ambition; as did Lord Strafford to the corrupt and tyrannic disposition, which influenced his conduct in Ireland.

He then returned to the law of Poynings itself, part of which he read, to shew, that it was never intended to take away the right of the parliament, but merely to prevent the governors of Ireland from giving the royal assent to laws, that might be injurious to the king. That during the civil wars of York and Lancaster, this had frequently happened: that the adherents of the York family were numerous in Ireland, having been planted there chiefly in the reign of Henry VI. who sent the Duke of York, with great power and great revenue, to govern the kingdom for no less than ten years, during which time, and afterwards, it became an asylum to the partizans of that house. That Lord Gormanstown, who preceded Poynings, had given great cause for suspicion; nay, it was even thought, that when Symnel was crowned in Dublin, if there had been a parliament sitting, that parliament would have acknowledged him as rightful king. That voyages between England and Ireland in those days, were much less frequent than between Europe and America at present, consequently many things happened there, that were not known till long after in England, for which reason, Henry VII. who derived his right from the house of Lancaster, when he chose that trusty servant, Poynings, to be his deputy in Ireland, though he had the utmost reliance on his fidelity, yet would not entrust even him with the power of giving the royal assent to laws, till they had been notified to the king himself in England, under the sanction of the great seal of Ireland; but, that this was considered only as a restraint on the governor, not on the parliament, of Ireland; which, by making authentic records, he proved had been the constant practice of originating such bills as they thought proper, and sending them engrossed on parchment, sometimes through the viceroy, sometimes by special messengers of their own, to receive the royal assent. He also produced the evidence of the parliamentary roll, in the reign of Elizabeth, to confirm this opinion, and to shew the sentiments the parliament then entertained of the law of Poynings by the reluctance, with which they consented to a temporary suspension of its effects in favour of Lord Sydney, and the great compliment they paid that

that nobleman in the words of that consent. From this he inferred, that parliament had considered this as a popular law, guarding the nation against evil governors, but in no wise restraining the power of either house of parliament. He said, that a very unjust stigma had, therefore, been affixed to the name of Poynings, who was an able and upright governor, and from whose administration that kingdom had derived the greatest advantages, and whose laws were intended for its defence, till perverted by the corrupt opinions of the Judges. It was no wonder, that people had received an ill impression of the law of Poynings, as the very text of that law had been falsified by those, who had the charge of its publication: for instead of saying that the imperial crown of Ireland was inseparably annexed, and *appendent* to the imperial crown of England; they had used the words, *dependent on*, the most invidious perversion that could possibly be introduced. Lord Bacon, who wrote the history of the reign of Henry VII. and who particularly mentioned Poynings, would not have let so great a matter, as a total inversion of our constitution, pass by the accuracy of his penetrating genius. He mentions the law of Poynings, indeed, but not this law. He says of Poynings, "But in parliament he did endeavour to make amends for the meagreness of his service in the war, for there was made that memorable act, called Poynings' Act," (not the act they were then debating on) but that "whereby all the statutes of England were made to be of force in Ireland, for before" (says Lord Bacon) "they were not, neither were any so that had been made in England since."

It was astonishing, that the law of Poynings' should ever have received such a false and vicious interpretation. Its meaning could not be understood at the distance of three hundred years, better than by the people, in whose days it was passed, or those who succeeded for an hundred years after. By them it was considered as a boon and a favor; but its operation now destroyed the constitution of Ireland: that constitution, which growing on the same stem with the constitution of Britain, it was formed to protect. The law was not in fault; the vile interpreter only was to blame. An interpreter placed between the king and people: a monster unknown to the constitution, whose office was to stifle the voice of the people, and to prevent the king from hearing; to render the people dumb, and the king deaf. He would therefore, in order to restore the constitution to its native vigour, and to obviate the evil effects of misinterpretation, move two resolutions, the first of which he then proposed, viz.—

* A

" That

“ That a committee be appointed to examine the precedents and records that day produced, and such others as might be necessary to explain the law of Poynings.”

If this were granted, he would follow it with another, to declare from the report of that committee, what the law of Poynings, and what the constitution of that country actually were.

The Provost answered Mr. Flood in a very learned and temperate speech, but insisted chiefly on the advantages of that law having been so long practised, not only without abuse on the part of England, but infinitely to the benefit of Ireland. He considered it a great blessing to his country, to be united to England by three bands: the law of Poynings, as explained by the statute of Philip and Mary, united the constitution of both realms: the statute of Henry VIII. united the regal crowns of both realms: and the practice of appeals, united the jurisprudence of both realms. The attorney-general opposed the resolution with more than his usual vehemence. At a late hour Mr. Flood's resolution was negatived, by a majority of 139 against 67.

It may be observed, that from the time the public mind had expanded itself so largely to the contemplation of civil freedom, little had been attempted to be done for the great mass of the Irish people, who were Roman Catholics. The necessary effect of the Protestants and Catholics uniting in the common pursuit of national freedom and independence, was, that ancient prejudices*

were

* It may be imagined by some, that religious prejudices had long ere this time been eradicated from Ireland, as well as from most other countries of Europe. The existence of the unnatural and ferocious code of popery laws at this time almost in their whole extent, proves the reverse: and although the increasing liberality of the higher orders had for some time, particularly under the happy reign of a most mild and indulgent monarch, greatly discountenanced the rigorous execution of those laws: yet the general habits of education, and the still more powerful workings of self-interest, had, for more than a century, sown, fed, and fostered, fear and hatred, rather than unanimity, affection, and charity, amongst the inhabitants of that unfortunate country. The legislative code of laws, religious and civil institutions, annual exhortations from the pulpits, daily catechistical instructions at school and at home, taught Protestants of every denomination from their earliest youth, to understand the terms *Popery* and *Papists*, as terms of enmity, reproach, contempt, guilt, horror and detestation. The wonder is, that these first impressions, inculcated into the pliancy of youth, as civil and religious duties, should, at any period of life, wear out or be laid aside; more especially in a country, where, it is painful to avow, the slightest elevation above the lower order of the community, has at all times been attended with an unwarrantable spirit of tyrannical domination,

wore out, familiarity bred confidence, and patriotism diffused a general ardor for the emancipation of every loyal Irishman, that suffered hardship, oppression, or servitude. A spirit of religious toleration pervaded every rank of those, who had enlisted under the banners of civil freedom, and Irish independence; and as many had engaged in that cause, as commanded the means of arming and equipping themselves for the rank of volunteers.

Mr. Luke Gardiner (afterwards Lord Mountjoy), who had lately returned from his travels on the continent, had often lamented, that Ireland was the most intolerant country in all Europe, which he considered as a high disgrace to the reformed religion. *On the 13th of December, 1781, a conversation took place on the heads of a bill for giving further relief to his majesty's subjects of Ireland professing the Roman Catholic religion, when Mr. Gardiner said, that he was taking the utmost pains to bring it forward in such a shape, as he hoped would render it acceptable to every gentleman in the house, as in a case of such great importance unanimity was earnestly to be desired.

Sir Richard Johnson declared he would oppose any bill by which Papists were permitted to carry arms. It was a matter, in which the nation was deeply concerned, and it was too late in the session properly to consider it.

The attorney general (Scott) found the subject so connected with religion, with interest, with prejudice, with all the most inflammable passions of the

tion and despotic rule over their fellow creatures. It is the keenest policy of perverted man, from Mahomet to Machiavel, to render sacred the maxims, that are most congenial with the vicious inclinations of those, on whom they are meant to operate, as meritorious services, or obligatory duties. Through the greatest part of Ireland, the lowest class of the people were Catholics; they were therefore not only subject to the native despotism of their superiors in rank, but the privileges of the Protestant ascendancy bore heavy upon them, from the peer to the squire, and down through every gradation of trade and mechanics to the forty shilling freeholder or common soldier. The national lust for rule was shamefully encouraged by abuse; and impunity, for most misdemeanors and assaults against Papists, was generally and in practice considered as a part of the privilege of the ascendancy. Long after the senate had ceased to call and treat the Catholic as a common enemy, was the term *Popish* retained in the country by the squirearchy and other abusers of their rank and fortune in society as the head of the climax of contempt, contumely, and indignation. This is not said *ad invidiam*, but to convince the most numerous part of the Irish nation, that they receive by the Union the incalculable blessing of seeing that much abused ascendancy removed, and themselves raised to a level with their neighbours in social life. The historian is not entitled to claim credit for general assertion upon long past facts: and to prove modern abuses by particular charges is too ungracious a task for him to attempt. *Experientia doceat.*

* 1 Parl. Deb. p. 175.

human breast, that it ought to be spoken of with the utmost coolness and moderation; that it was necessary, in the present temper of affairs, to use such means as would conciliate and draw together in closest union, the minds of all their fellow subjects, and therefore he hoped the house would manifest the greatest unanimity on the subject.

Mr. Fitzgibbon animadverted upon the inconsistency of the laws, and recommended one well-digested law on the subject, adding, that something ought to be done for the relief of so great a part of their fellow subjects, whose dutiful and loyal behaviour had rendered them deserving objects of attention.

Mr. Daly declared the same sentiments, but he thought it in vain to hope for unanimity in any thing for the relief of Roman Catholics; for there was a spirit, which actuated some members in that house, and which never would coincide in any thing, that could be proposed to their advantage.

Mr. Gardiner said, that he would not offer to the house, in the heads of a bill, which he was preparing, any clause permitting Roman Catholics to carry arms. His first intention, he said, was to attach a right of carrying arms to a certain possession in land; but for his own part, if he thought it would tend to produce unanimity, he would relinquish that idea.

Mr. Holmes said, the penal laws of Ireland were a disgrace to the legislature, and a reproach to humanity; that now when the liberal spirit of toleration had spread itself over almost all Europe, was the proper time to transplant it into this country, where he hoped to see it take root and flourish. Every author of great and manly genius, who had considered the subject, had reprobated religious persecution as the scourge and bane of the human race. Every enlightened politician had endeavoured to destroy it. The Emperor of Germany, that friend to mankind and father to his people, had set an example of toleration fit for the imitation of the world. Throughout the extent of his vast dominions, Protestants, who through the narrow prejudices of former times lay under many incapacities (though by no means to be compared with those suffered by Irish Roman Catholics), were now raised to the enjoyment of every right possessed by their fellow subjects; and it would well become the wisdom and generosity of that house to grant such relief to their fellow subjects, who differed from them only in points of faith, but by no means in loyalty and love of their country, as would be a reward for long suffering merit.

On

On several other days* did Mr. Flood bring forward the question of Poyning's law, in which he insisted the very vitals of the constitution were concerned. He expressed his astonishment, that this opinion was combated by the whole bar, though they always professed themselves ready to support the constitution. He complained with some foreness, that this question had been wrested out of his hands, after he had made it his study for twenty years: but as the honorable gentleman (Mr. Yelverton) was erecting a temple to liberty, he hoped at least he should be allowed a niche in the fane. Notwithstanding the extension of trade, and the new additional duties granted in the last session, the expences of the establishment, &c. for the two years ending at Lady-Day, 1781, exceeded the produce of the revenue by above 480,000*l.* It was therefore ordered that 300,000*l.* should be raised as follows: 260,000*l.* at 4*l.* per cent. and the remaining 400,000*l.* upon treasury bills as before. The debt of the nation amounted now to 1,551,704*l.* 7*s.* 8*d.* and the pension list to 183,745*l.* 10*s.* 2½*d.* On presenting the money bills the 22d of December, 1781, the speaker delivered his sentiments as follows:

" MAY IT PLEASE YOUR EXCELLENCY,

" Though no material change in the circumstances of this
 " kingdom has taken place since the conclusion of the last session, it ought
 " to be, and I am persuaded is, a subject of general satisfaction to reflect,
 " that, amidst the horrors of war, it has shared none of its calamities; that
 " the public tranquillity has been preserved within, and that the dangers,
 " with which it was threatened from without, have been averted by his ma-
 " jesty's paternal care, by your excellency's vigilance and judicious conduct,
 " and by the voluntary and virtuous exertions of its own loyal and brave
 " inhabitants: nor is the future prospect less pleasing, than the view of what
 " is past. Several attempts have been lately made, and with some success,
 " to establish in this kingdom new manufactures, to revive and improve the

* On one of these, viz. the 18th of December, he used the following strong language: " As nine
 " tenths of the present inhabitants of this kingdom are allowed to be descendants from those English
 " settlers, and the natives who from time to time were permitted the use of the English laws, it is
 " clear beyond contradiction, that we were as free as the English during 500 years. Our liberties
 " were first infringed by the detestable Strafford, but the cries of this oppressed country had pur-
 " sued and overtaken him; and he earnestly prayed, that a like vengeance might light upon the
 " head of every future tyrant who should attack the constitution with the high hand of prerogative,
 " or the slower sap of corruption." 1 Parl. Deb. p. 184.

" old

“ old and to extend its commerce ; the lower orders of the people are reco-
“ vering from their former indolence and ignorance, and the spirit of enter-
“ prize and industry, the great spring of national happiness, begins to dif-
“ fuse itself through the nation. From these dispositions in the people, and
“ the generous encouragement given to every useful undertaking by those
“ of higher condition, it seems not too much confidence to hope, that the
“ time is not far distant, when this kingdom will emerge from that state of
“ inaction and languor, into which it was sunk, and that it will assume that
“ rank in the empire, which belongs to it, and become one of its principal
“ pillars. The commons, sensible of the benefits they enjoy under your ex-
“ cellency’s just and wise administration, have, with unusual dispatch, granted
“ all the supplies which were required, and have also made provision for the
“ discharge of an arrear of 300,000*l.* incurred since the last session ; and
“ though they have not imposed on the subject any new or additional tax,
“ except for the purposes of regulation, they are not without hopes, that the
“ revenue will hereafter prove adequate to the public service, and that the
“ augmentation made by such regulation, and the reformation already com-
“ menced in the collection and management of it, will prevent any future
“ deficiency.”

The House of Commons met for the last time before their adjournment on Christmas-Day, when Mr. Gardiner observing, that many members had expressed their anxiety to know the purport of his intended bill for the relief of the Roman Catholics, and as the house had given no orders for printing it, he would have it printed and distributed at his own expence, that gentlemen might have an opportunity of maturely considering it during the recess. On which occasion Mr. Grattan said, he did not rise to oppose the going into a committee, or to promote it, he only intended to observe, that it was granted on all sides that some indulgence should be granted to the Roman Catholics ; the only difficulty was, how that indulgence should be granted ; for his part, he wished the house to do it handsomely, for the merits and sufferings of the Roman Catholics claimed it from them. They were not to be judged by their creed, as understood by their adversaries, their actions proved them dutiful and loyal. They were for a long time not supposed attached to the constitution, and with good reason, because they were known not to enjoy its benefits ; yet that Roman Catholics might be attached to a constitution they could enjoy, was obvious ; Catholics had formerly wrested
Magna

Magna Charta from King John; and recently on two trying occasions, when the country was threatened with invasion, and when last session she was struggling for a free trade and constitution, their behaviour then was in the highest degree praise-worthy; they did not catch the opportunity to make terms, but liberally and unconditionally joined with their Protestant fellow-subjects in every effort to serve their country; by these, and by a continual course of good behaviour, they had merited the favor of parliament. But this favor ought to be granted with some regard to the prejudices of Protestants; for even Protestants (he spoke with respect and reverence of the faith which he professed) had their prejudices. With some regard to the prejudices of Presbyterians, whose political principles he preferred before all others, parliament should endeavour to make the indulgence agreeable to every party, and beneficial not only to the Catholics, but to the nation; it should be the business of parliament to unite every denomination of Irishmen in brotherly affection and regard to the constitution. It had been well observed, by a gentleman of first-rate understanding, a member of the British parliament, that Ireland could never prosper till its inhabitants were a people; and though the assertion might seem strange, that three millions of inhabitants in that island should not be called a people, yet the truth was so, and so would continue till the wisdom of parliament should unite them by all the bonds of social affection. Then, and not till then, the country might hope to prosper.

Immediately after the adjournment of the House of Commons, viz. on 31st of January, 1782, Mr. Gardiner gave notice of his intention to bring in heads of a bill for the relief of his majesty's subjects in Ireland professing the Roman Catholic religion: and as no part of the modern history of Ireland is more interesting or curious, than the progress, variations, shiftings, and conclusions of the public mind upon the rights and franchises of the Roman Catholics of that kingdom, I shall endeavour to trace it as fairly, as the public documents and records of the nation will admit of.* The Hon. John Burke said, he would ever oppose the introduction of a bill, that with a single dash of a pen, abolished all the restraints, which the wisdom of their ancestors had laid upon that people; that he wished to grant them some in-

* 1 Parl. Deb. p. 199.

dulgence,

dulgence, but that the clause, which gave them power to obtain perpetuities in land, was, in his opinion, much too extensive.

Mr. St. George also conceived it necessary, that the Protestants, who were so much inferior to the Papists in numbers, should have some check over them, which would be entirely taken off, if the clause granting perpetuities to Papists were to pass.

Mr. Conolly gave his firmest and most zealous support to the bill, as being founded in justice, good policy, and true religion. God forbid ! that after having proved the loyalty of the Irish Catholics for an hundred years, they should fear to emancipate them from the oppression of laws, which the humanity of their countrymen disdained to enforce. No law should stand on the Statute Book, but such as every friend of his country would assist to enforce.

Sir H. Langrishe did not suppose, that the house would for a moment hesitate to receive a bill, whose object was to liberate one million and a half of loyal Irish subjects, suffering under laws, that presented the highest picture of excessive malice. He asked, did the conduct of the Irish Catholics deserve such treatment ? If not, said he, in the name of God, let the bill come forward : let us consider what is due to our own dignity, what is due to the merits of our suffering countrymen ; they are a people, that deserve our favor, and therefore let us not shew an unwillingness to naturalize such a multitude, who are aliens in their own country.

Mr. Ponsonby thought it would be extremely wrong to shew any unwillingness to receive the bill. A people of such exemplary loyalty had his best wishes.

Mr. Brownlow said, that whatever could tend to unite the people of the country, and strengthen their attachment to it, deserved the most serious attention of the legislature. The most free and unrestrained toleration in all religious matters ought to be granted to every man ; a good subject should never be questioned as to his articles of faith, but should enjoy the full benefit and protection of the law. There was no other country on the face of the earth, where seven tenths of the whole people were excluded from the benefits of the law, and the privileges of their fellow subjects, merely because they differed in religious opinions ; yet, under this oppression, the Roman Catholics had retained their loyalty and love to their country, and it was but justice

justice to grant them relief. Leave was given to bring in the heads of the bill without any opposition.

On the 5th of February, Mr. Gardiner being indisposed, Mr. Dillon presented heads of a bill for the relief of the Roman Catholics, which brought on a debate, in which several other leading members of the house declared their sentiments and dispositions upon the subject. Sir Hercules Langrishe and the Provost were strongly for the measure. Mr. John Burke finding that he could not effectually oppose the bill, moved, that it should be an instruction to the committee, to introduce into the bill a full recital of all the acts or clauses of acts intended to be repealed; in which he was supported by Mr. Mason and Mr. Parnell, and opposed by Mr. Fitzgibbon and the rest of the house. Sir Boyle Roche said, that whenever the subject was mentioned, he was always struck with the greatness of the object, no less than the delivering millions of his fellow subjects, who for a hundred years had groaned in bondage, and restoring them to the enjoyment of liberty in their native country. He said, that no man in the nation denied, that upon every principle of justice, honor, truth, and public good, the Roman Catholics of Ireland ought to be set free, and asked whether they could ever be a great and happy people till it were accomplished. He hoped no man would think himself interested in still fomenting division and dispute; and though allowance must be made for prejudice, yet he hoped no man in the nation was malignant enough to gratify his spleen by the ruin of his country. The poor unhappy Roman Catholics, for a hundred years had laboured under the most cruel hardships, that prejudice could impose; yet such was their love of their country, that even oppression could not shake their fidelity; they scarcely uttered their distress, or if a sigh escaped, it was directed to the compassion of their generous countrymen, whose love of liberty, they hoped, would at last impart that blessing to them.

Mr. Hussey Burgh protested, that when the house was about to repeal all the laws that oppressed Roman Catholics, he should never chuse to look back upon that cruel code, which would stand as an impeachment to the Protestant name, whose greatest glory was universal toleration and benevolence.

On the 15th of February, the order of the day for going into the Catholic bill having been called, a conversation took place upon the propriety of its being then committed, when the house, which was uncommonly crowded with

strangers, was appalled by Mr. Fitzgibbon's apprizing them,* that till that morning he had never considered the bill as dangerous; but on reading it over carefully, the first clause had struck him as a repeal of the Act of Settlement, the Act of Forfeiture, and the Act of Reassumption; that if so, it must destroy the new titles under the Popery laws, and entangle the whole kingdom in a maze of confusion. He therefore intreated the friends of the bill to agree with him in putting it off, till those doubts, which had arisen from the first clause were done away; or till that clause could be modified, so as to grant relief to the Catholics without injuring the persons holding under the new titles. He declared himself a firm friend to toleration, and he wished to allow the Catholics a power of obtaining perpetuities, but thought that three or four days delay could not injure their prospect of relief; though by allowing time to make the bill more perfect, it might save the nation from much distress.

Mr. Metge expressed the same opinion; upon which Mr. Grattan observed, that though the bill were incomplete, it was no cause for not going into a committee; it was that very cause, that rendered a committee necessary. He then went into a detail of the sundry delays and interruptions the bill had met with in its progress to maturity, and finished with declaring, that if it were not ripe then, it never would be so. Mr. Grattan disclaimed every intention of disturbing property, and was willing to alter the clause complained of in any way, that the learned gentlemen of the bar might think would make it safe.

The Attorney General, adverting to the importance of the subject before the house, said, that the opinion expressed by Mr. Fitzgibbon, of the dangerous tendency of the sweeping clause, had struck the house with a panic, and if the bill were then to come forward, it would inevitably fail of success. Many liberal and generous sentiments had been expressed on the subject of giving toleration to Roman Catholics. He heartily subscribed to the wisdom and humanity, from whence those sentiments arose. He was particularly happy in hearing those sentiments from gentlemen, who represented the northern counties; on that subject, their opinions should have the greatest weight, and as there were no men, who valued liberty higher, there were none would

* 1 Parl. Deb. p. 241.

be more forward to bestow it on their countrymen. He had himself been a witness of their wisdom, and the spirit of toleration that reigned amongst them. He had seen in Monaghan, at the same moment, three prodigious large congregations, flowing out from a meeting-house, a church, and a mass-house; and as the individuals that composed them had joined in the street, they have blended and united into one body, with every mark of affection and good will: that was true religious toleration, and the most striking examples of it were to be found in the north. He would not then proceed further, than merely to commit the bill, to shew the people that the house was sincere, and fully resolved to give them the utmost, that could safely be granted.

The house then went into a committee on the bill, when it was read, and the further consideration of it adjourned to a near day.

On the 18th of the month, Mr. Gardiner, who had been absent on the 16th, stated in the house, that the objection taken by his friend, (Mr. Fitzgibbon) which had prevented the business from going on, had been examined by the most eminent gentlemen at the bar, both in and out of the house, who were unanimously of opinion, that it did not contain any of that mischief announced by Mr. Fitzgibbon, which had spread so much alarm. Mr. Walsh, a barrister, and Messrs. Dillon, Grattan, and Mason, expressed their satisfaction, that the objection to the progress of the bill had been happily done away. Even Mr. Fitzgibbon abandoned his own opinion.

The awful and critical situation of the great body of the Irish people, with arms in their hands, and freedom in their hearts, calls our attention to what was going forwards out of parliament. We have traced the volunteers rising gradually into the use of arms, organized into discipline, and almost united in one common object, which had now resolved itself into the simple determination of attaining an unequivocal legislative independence. In this situation, the officers of the southern battalion of Lord Charlemont's Armagh regiment, took the lead, and gave movement to the important measures of the volunteer army: they met, and came to the following resolutions:

- " First Ulster Regiment, commanded by the Earl of Charlemont.
- " At a full meeting, holden at Armagh, on Friday, the 28th day of December, 1781, of the officers and delegates of the southern battalion of the
- " said regiment, consisting of eleven companies, pursuant to adjournment.
- " Francis Evans, Esq. in the chair. The following resolutions were unanimously agreed to, and ordered to be printed in all the newspapers published

“ lished within the province of Ulster, and in the Volunteer Journal of the
“ City of Dublin.

“ *Resolved*, That with the utmost concern, we behold the little attention
“ paid to the constitutional rights of this kingdom, by the majority of those,
“ whose duty it is to establish and preserve the same.

“ *Resolved*, That to avert the impending danger from the nation, and to
“ restore the constitution to its original purity, the most vigorous and effec-
“ tual methods must be pursued, to root out corruption and court influence
“ from the legislative body.

“ *Resolved*, That to open a path towards the attaining of this desirable
“ point, it is absolutely requisite that a meeting be held in the most central
“ town of the province of Ulster, which we conceive to be Dungannon, to
“ which said meeting every volunteer association of the said province is most
“ earnestly requested to send delegates, then and there to deliberate on the
“ present alarming situation of public affairs, and to determine on, and pub-
“ lish to their country what may be the result of said meeting.

“ *Resolved*, That as many real and lasting advantages may arise to this
“ kingdom, from said intended meeting being held before the present session
“ of parliament is much farther advanced, Friday, the 15th day of February
“ next, at ten o'clock in the forenoon, is hereby appointed for said meeting,
“ at Dungannon as aforesaid.

“ *Resolved*, That as at said meeting, it is highly probable the idea of form-
“ ing brigades, will be agitated and considered, the several corps of volunteers
“ who send delegates to said meeting, are requested to vest in them a power
“ to associate with some one of such brigades as may be then formed.

“ FRANCIS EVANS, Chairman.”

The meeting, in consequence of this requisition, was one of the most im-
portant transactions in the modern annals of Ireland. As soon as this bold
call appeared, the Castle took the alarm. Captain Evans was the ostensible
man, but to take him up might bring things to immediate extremities; to take
no notice of it might also be dangerous; a middle course was determined on,
and every possible means were used to suppress the meeting: the words of the
requisition were animadverted on; and many, even of the best friends of their
country, wished no meeting had been called.

As the awful 15th day of February, 1782, approached, doubt and anxiety
appeared in every countenance; men of every description were deeply con-
cerned

cerned in the event; and perhaps there never was a period more critical to a nation.

The administration was considered by them all to have hitherto treated the demands of the people with scorn: and they charged the parliament with having leagued with administration against them: the people with arms in their hands, was bent upon one object, but had no chain of correspondence.

Unanimity among the volunteers, could alone give efficacy to their resolves; and thus circumstanced, a meeting was formed, at which Lord Charlemont, Mr. Flood, Mr. Grattan, Mr. Stewart (member for Tyrone) and Mr. Dobbs, a barrister, attended, at which the following resolutions were settled and arranged both as to the order and the persons, by whom they should be respectively moved.

“ Ulster Volunteers.

“ At a meeting of the representatives of one hundred and forty-three corps
“ of volunteers of the province of Ulster, held at Dungannon, on Friday, the
“ 15th day of February, 1782, Colonel William Irvine in the chair.

“ Whereas it has been asserted, that volunteers, as such, cannot with propriety debate or publish their opinions on political subjects, or on the conduct of parliament, or public men.

“ 1. *Resolved* unanimously, that a citizen, by learning the use of arms, does not abandon any of his civil rights.

“ 2. *Resolved* unanimously, that a claim of any body of men other than the king, lords, and commons, of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a grievance.

“ 3. *Resolved*, (with one dissenting voice only,) that the powers exercised by the privy council of both kingdoms, or under colour, or pretence of the law of Poynings, are unconstitutional and a grievance.

“ 4. *Resolved* unanimously, that the ports of this country are by right open to all foreign countries not at war with the king; and that any burthen thereupon, or obstruction thereto, save only by the parliament of Ireland, are unconstitutional, illegal, and a grievance.

“ 5. *Resolved*, (with one dissenting voice only,) that a mutiny bill not limited in point of duration from session to session, is unconstitutional and a grievance.

“ 6. *Resolved* unanimously, that the independence of judges is equally essential to the impartial administration of justice in Ireland as in England;

“ and

“ and that the refusal or delay of this right to Ireland, makes a distinction,
“ where there should be no distinction, may excite jealousy where perfect
“ union should prevail; and is in itself unconstitutional and a grievance.

“ 7. *Resolved*, (with eleven dissenting voices only,) that it is our decided
“ and unalterable determination to seek a redress of these grievances; and we
“ pledge ourselves to each other, and to our country, as freeholders, fellow-
“ citizens, and men of honor, that we will at every ensuing election, support
“ those only, who have supported, and will support us therein; and that we
“ will use all constitutional means to make such our pursuit of redress speedy
“ and effectual.

“ 8. *Resolved*, (with one dissenting voice only,) that the right honorable
“ and honorable the minority in parliament, who have supported these our con-
“ stitutional rights, are entitled to our most grateful thanks; and that the
“ annexed address be signed by the chairman, and published with these resolu-
“ tions.

“ 9. *Resolved* unanimously, that four members from each county of the
“ province of Ulster, (eleven to be a quorum) be, and are hereby appointed a
“ committee till next general meeting, to act for the volunteer corps here re-
“ presented, and, as occasion shall require, to call general meetings of the pro-
“ vince, viz.

“ Lord Viscount Enniskillen, Colonel Mervyne Archdall, Colonel William
“ Irvine, Colonel Robert M'Clintock, Colonel John Ferguson, Colonel John
“ Montgomery, Colonel Charles Leslie, Colonel Francis Lucas, Colonel Tho-
“ mas Morris Jones, Colonel James Hamilton, Colonel Andrew Thompson,
“ Lieut. Colonel Charles Nesbitt, Lieut. Colonel Alexander Stewart, Major
“ James Paterson, Major Francis Dobbs, Major James M'Clintock, Major
“ Charles Duffin, Captain John Harvey, Captain Robert Campbell, Captain
“ Joseph Pollock, Captain Waddell Cunningham, Captain Francis Evans,
“ Captain John Cope, Captain James Dawson, Captain James Acheson, Cap-
“ tain Daniel Eccles, Captain Thomas Dixon, Captain David Bell, Captain
“ John Coulston, Captain Robert Black, the Rev. William Crawford, Mr.
“ Robert Thompson.

“ 10. *Resolved* unanimously, that said committee do appoint nine of their
“ members to be a committee in Dublin, in order to communicate with such
“ other volunteer associations in the other provinces, as may think proper to
“ come

“ come to similar resolutions, and to deliberate with them on the most constitutional means of carrying them into effect.*

“ In consequence of the above resolutions, the committee have appointed the following gentlemen for said committee, three to be a quorum, viz.

“ Colonel Mervyn Archdall, Colonel William Irvine, Colonel John Montgomery, Colonel Thomas Morris Jones, Major Francis Dobbs, Captain Francis Evans, Captain James Dawson, Captain Joseph Pollock, Mr. Robert Thompson.

“ 11. *Resolved* unanimously, that the committee be, and are hereby instructed to call a general meeting of the province, within twelve months from this day, or in fourteen days after the dissolution of the present parliament, should such an event sooner take place.

“ 12. *Resolved* unanimously, that the court of Portugal have acted towards this kingdom, being a part of the British empire, in such a manner as to call upon us to declare, and pledge ourselves to each other, that we will not consume any wine of the growth of Portugal; and that we will, to the extent of our influence, prevent the use of said wine, save and except the wine at present in this kingdom, until such time as our exports shall be received in the kingdom of Portugal, as the manufactures of part of the British empire.

“ 13. *Resolved*, with two dissenting voices only, to this and the following resolution, that we hold the right of private judgment in matters of religion, to be equally sacred in others as in ourselves.

“ 14. *Resolved*, therefore, that as men, and as Irishmen, as Christians, and as Protestants, we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects; and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland.

* In order to let the reader into the general spirit of the volunteers, and how faithfully the patriots represented it to the parliament and also how fully aware of what then was the voice of the people, several of the members were, who, notwithstanding, resisted it in the senate; several addresses and letters from different volunteer corps, to the minority in parliament, and other individual members, with their answers, may be seen in the Appendix, No. LXVII. They are authentic documents of the then prevailing spirit of the Irish nation. A complete collection of the resolutions of the volunteers, grand juries, &c. of Ireland, which followed the celebrated resolves of the 1st Dungannon Diet, was published at Dublin in 1782, by Mr. C. H. Wilson, a gentleman universally esteemed for his liberality, wit, humour, information, and learning.

“ 15. *Re-*

“ 15. *Resolved* unanimously, that the Dundalk Independent Troop of
 “ Light Dragoons, commanded by Captain Thomas Reed, having joined a
 “ regiment of this province, the First Newry Regiment, or Newry Legion, and
 “ petitioning to be received as part of this body, and under its protection, is
 “ accordingly hereby received.

“ 16. Whereas a letter has been received by the chairman of this meeting,
 “ from the united corps of the county of Cavan, Colonel Ennery in the
 “ chair, declaring their readiness to co-operate with their brother volunteers
 “ in every constitutional support of their rights.

“ *Resolved* unanimously, that the thanks of this meeting be presented
 “ to the said united corps of the county of Cavan, for their spirited resolu-
 “ tion; and that a copy of the proceedings of this meeting be inclosed by the
 “ chairman to Colonel Ennery, to be by him communicated to the said united
 “ corps; and that they shall have a right, if they choose, to associate with the
 “ corps represented at this meeting, to nominate four members to act with
 “ those already appointed, as a committee by the delegates at this meeting.

“ 17. *Resolved* unanimously, that the thanks of this meeting be presented
 “ to Captain Richardson, and the Dungannon Light Company, for their po-
 “ liteness in mounting guard this day.

“ 18. *Resolved* unanimously, that the thanks of this meeting be presented
 “ to the Southern Battalion of the first Ulster Regiment, commanded by the
 “ Earl of Charlemont, for that patriotic zeal, which we are convinced induced
 “ them to call this meeting.

“ 19. *Resolved* unanimously, that the thanks of this meeting be presented
 “ to Colonel William Irvine, for his particular propriety and politeness of
 “ conduct in the chair.

“ 20. *Resolved* unanimously, that the thanks of this meeting be presented
 “ to Captain James Dawson, for his readiness in undertaking the office of
 “ secretary to this meeting, and for his particular attention and ability in the
 “ laborious duty thereof.

“ 21. *Resolved* unanimously, that these resolutions be published.

“ To the Right Honorable and Honorable the Minority in both Houses of
 Parliament.

“ MY LORDS AND GENTLEMEN,

“ WE thank you for your noble and spirited, though
 “ hitherto ineffectual efforts, in defence of the great constitutional and com-
 “ mercial

“ mercial rights of your country. Go on! the almost unanimous voice of
 “ the people is with you; and in a free country the voice of the people must
 “ prevail. We know our duty to our sovereign, and are loyal. We know
 “ our duty to ourselves, and are resolved to be free. We seek for our rights,
 “ and no more than our rights; and, in so just a pursuit, we should doubt the
 “ being of a Providence, if we doubted of success.

“ Signed by order,

WILLIAM IRVINE, Chairman.

“ IN COMMITTEE.

“ *Resolved* unanimously, that the corps of this province, not represented at
 “ the meeting held this day, be, and they are hereby invited to join in the re-
 “ solutions of said meeting, and to become members of the said association on
 “ the most equal footing.

“ *Resolved* unanimously, that such corps as may choose to join the said asso-
 “ ciation, be, and they are hereby requested to communicate their intentions
 “ to our secretary, Captain Dawson, Union Lodge, Loughbrickland, who will
 “ lay the same before the chairman and committee.

“ WILLIAM IRVINE, Chairman.”

Thus ended the business of that ever memorable day. The place they met in was the church: and when the account of it reached Dublin, the friends of their country rejoiced at the temper and firmness of the proceedings: their enemies were disappointed in every expectation; none of that violence appeared, which distinguishes faction from real public spirit: they were astonished and confounded with that noble benevolence and toleration, which must at once convince the Roman Catholics, that the supposed hatred of the Protestants of the north, existed only in the minds of the malevolent. To divide and conquer, had been too long the odious policy of that country: that of Dungannon, was to unite and be victorious.

As these resolutions made their public appearance, they were admired even by their enemies. The volunteers from every quarter paid their tribute of applause, and erected them as the standard, to which all repaired: from east, west, north, and south, they were re-echoed. Committees of correspondence were formed, and the national committee crowned the business.

Within five days after the passing of the Dungannon resolutions, when the Roman Catholic Bill was in the committee,* Mr. Gardiner said, that he was

* Viz. on the 20th of February, 1782. 1 Parl. Debates, p. 148.

happy to find that liberal spirit of toleration, which had originated in that house, had so universally diffused itself through the whole kingdom; and he rejoiced, that where ill-nature had supposed that prejudice would prevail, benevolence was seen to flourish. The delegates at Dungannon had manifested that the people of the north were as forward to grant toleration, as the Catholics could be to receive it. An objection, he said, had been started to the bill, as originally introduced, which had so much weight with the house, as induced him to postpone it to that day. He hoped, by an amendment, which he now intended to make, to obtain the unanimous approbation of the house; and though he did not in it recite all that multifarious code, through the long and dark labyrinth of which, unenlightened by any ray of mercy, he deemed it impossible to find his way; yet, by simplifying the clause objected to, he conceived that the wishes of every gentleman would be gratified; they would clearly see what was granted to Catholics, and he hoped would think the grant but reasonable.

It was further urged, that if this law should pass, there would be no longer any restraint on Roman Catholics. But was it not a restraint upon a man, that he could hold no trust or office in the state? That he could not be a member of parliament, a justice, or a grand juror of the peace? That he could not serve in the army of his country; have a place in the revenue; be an advocate or attorney; or even become a freeman of the smallest corporation? If gentlemen laboured under these incapacities themselves, would they think them no restraints? He had divided the indulgencies, which he thought ought to be granted to Roman Catholics, into five heads, four of which he intended to move as amendments to the clause. The first, and that which he then intended to propose to the committee, respected their enjoyment of property: the second, the free exercise of religion: the third, education: the fourth, marriage: and the fifth, which, from the disposition of the committee, he did not then think expedient to agitate, regarded self-defence.

Mr. Fitzgibbon exerted himself in supporting the cause; he explained the nature of the privileges which were going to be granted; and concluded, that though it would be improper to allow papists to become proprietors of boroughs, there was no good reason why they should not possess estates in countries, or why Protestant tenants holding under them, should not enjoy a right of voting for members of parliament. The attorney-general, Sir Hercules Langrishe, Sir Henry Cavendish, Mr. Ogle, the Provost, Mr. Walsby, Mr.

Mr. D. Daly, Sir Boyle Roche, and Mr. Bagnal, spoke warmly for the bill: Mr. St. George, Mr. Wynne, and Colonel Wynne opposed it. Mr. Flood said, that he always wished to embosom the Roman Catholics in the body of the state; yet without courting praise on one hand, or fearing censure on the other, he would deliver his free opinion on this great subject. About five years ago, said he, a law was passed, granting the Roman Catholics infinitely less than was then proposed: the day was celebrated with rejoicing, and it was thought they had reconciled every party. He was sorry to hear gentlemen speak as if nothing had been done for them. In the former laws, leases for years were granted to them upon the avowed principle of restraining them from any influence in elections. This law went beyond toleration, it gave them a power, and tended to make a change in the state. If they gave them equal power with the Protestants, the present constitution could not survive. Though they wished to extend toleration to Roman Catholics, they did not wish to shake the government; they should allow them to purchase lands, but should carefully guard against their possessing any power in the state.

Mr. Grattan said, "I object to any delay which can be given to this clause; we have already considered the subject on a larger scale, and this is but a part of what the clause originally contained. We have before us the example of England, who four years ago granted Catholics a right of taking land in fee; the question is merely, whether we shall give this right or not, and if we give it, whether it shall be accompanied by all its natural advantages? Three years ago, when this question was debated in this house, there was a majority of three against granting Catholics estates in fee, and they were only allowed to take leases of 999 years. The argument then used against granting them the fee was, that they might influence elections. It has this day been shewn, that they may have as effectual an influence by possessing leases of 999 years, as they can have by possessing the fee; at that time, I do declare, I was somewhat prejudiced against granting Roman Catholics estates in fee, but their conduct since that period has fully convinced me of their true attachment to this country. When this country had resolved no longer to crouch beneath the burthen of oppression, that England had laid upon her; when she armed in defence of her rights, and a high-spirited people demanded a free trade, did the Roman Catholics desert their countrymen? No: they were found amongst the foremost. When it was afterwards thought necessary to assert a free constitution,

stitution, the Roman Catholics displayed their public virtue; they did not endeavour to take advantage of your situation; they did not endeavour to make terms for themselves, but they entered frankly and heartily into the cause of the country; judging by their own virtue, that they might depend upon your generosity for their reward. But now after you have obtained a free trade, after the voice of the nation has asserted her independence, they approach this house as humble suppliants, and beg to be admitted to the common rights of men. Upon the occasions I have mentioned, I did carefully observe their actions, and did then determine to support their cause whenever it came before this house, and to bear a strong testimony of the constitutional principles of the Catholic body. Nor should it be mentioned as a reproach to them, that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a Magna Charta, a British constitution. In 1779, when the fleets of Bourbon hovered on our coasts, and the Irish nation roused herself to arms, did the Roman Catholics stand aloof? Or did they, as might be expected from their oppressed situation, offer assistance to the enemy? No: they poured in subscriptions for the service of their country, or they pressed into the ranks of her glorious volunteers.

“ It has been shewn, that this clause grants the Roman Catholics no new power in the state; every argument therefore, which goes against this clause goes against their having leases for 999 years: every argument, which goes against their having leases for 999 years, goes against their having any leases at all: and every argument, which goes against their having property, goes against their having existence in this land. The question is now, whether we shall grant Roman Catholics a power of enjoying estates, or whether we shall be a Protestant settlement or an Irish nation? Whether we shall throw open the gates of the temple of liberty to all our countrymen, or whether we shall confine them in bondage by penal laws? So long as the penal code remains, we never can be a great nation; the penal code is the shell, in which the Protestant power has been hatched, and now it is become a bird, it must burst the shell asunder, or perish in it. I give my consent to the clause in its principle, extent, and boldness, and give my consent to it as the most likely means of obtaining a victory over the prejudices of Catholics, and over our own. I give my consent to it, because I would not keep two millions of my fellow subjects in a state of slavery; and because, as the mover of the declaration

claration of rights, I should be ashamed of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more."

Fortunately for the Catholics, Mr. Gardiner's bill was not made a government question, or otherwise it would probably have fallen before the same majority, that had uniformly opposed every constitutional question, that had been brought before them since the commencement of the American war. The nearer that fatal ministry drew to its dissolution, the more violent were its agonizing struggles against the patriotic efforts of Ireland to obtain a free and independent constitution. Within the octave of the great civic festival at Dungannon, Mr. Grattan, as the herald and oracle of his armed countrymen, once more addressed the House of Commons.* "After the ample discussion," said he, "in this house of the present question of right on the 19th of April, 1780, and the universal reprobation of the assumption of the British parliament, to bind this kingdom, then received, I had been silent on that subject, if that parliament had not since that time continued its tyrannical and unconstitutional assumption, by enacting several laws to bind Ireland, which I have in my hand, as also a proclamation in the Irish Gazette, where the execution of a British statute is enforced: measures that evidently shew, that the British nation, so far from relinquishing the claim of usurped authority in this kingdom, have still the same spirit of making laws for us, which they keep alive by renewing their claim on every occasion. These fresh instances of British usurpation, added to that disgraceful and unrepealed act of the 6th of George I. which declares Ireland bound at all times by the legislature of Great Britain, makes it necessary at this time for the parliament of Ireland to come to an explanation concerning its privileges, and the injured rights of the nation. And what are the boasted relaxations Britain has granted to us? The first was in 1778, as contemptible in principle as in effect; for after a bar of lawyers had been brought to plead against Ireland in the English House of Commons, we are permitted to export every thing except our manufactures. Their favor was an insult and aggravation to our misery. The minister sends over to know the causes of our distresses, and he is answered from his agents here, that it was done away, and that we were satisfied by being permitted to cultivate tobacco. The second period

* On the 22d of February, 1782. 1 Parl. Deb. p. 266.

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was in 1779, when government abdicated the defence of Ireland, and Ireland appeared in arms; the minister now changed his tone, he glanced a temporary gleam of hope upon our shields; he gave us every thing, but kept the power of taking it back; he retained a mutiny bill and the post-office act. The third period was a ministerial address of thanks, evidently calculated to dissolve the union of the people; it had its effect in a paroxysm of ease, and when it was known, that the strength of this house was dissolved, and that the glory of 1779 was no more, an order comes over to oppose on every occasion the latent claims of Ireland; to oppose an Irish mutiny bill, to alter the fugar bill; and when Lord Hillsborough found you had lost all veneration for yourselves, he lost it for you likewise. The reprobated measure of a perpetual mutiny bill followed; but you have not done with it yet, you have stabbed your country, and the wound is festering. Emboldened by your dissolution, English acts binding Ireland were passed last winter. Is the claim of the British parliament to legislate for this kingdom given up, as I have heard some gentlemen say in this house? How futile and ridiculous now do these arguments appear, that declared the return of the Irish mutiny bill was a renunciation of legislation on the part of England. How futile and absurd are all the arguments that teemed on that occasion from the government press? I am for tranquillity; it is for honorable tranquillity; but when I see an administration, unable to make a blow against an enemy, tyrannize over Ireland, I am bound to exert every power to oppose it.

“Ireland is in strength; she has acquired that strength by the weakness of Britain, for Ireland was saved when America was lost: when England conquered, Ireland was coerced; when she was defeated, Ireland was relieved; and when Charles-town was taken, the mutiny and fugar bills were altered. Have you not all of you, when you heard of a defeat, at the same instant, condoled with England, and congratulated Ireland?

“If England were for a moment awake to her own interests, she would come forward, and invite us to her arms, by doing away every cause of jealousy. How, but by the strictest domestic union, can Great Britain, with only eight millions of people, oppose the dreadful combination of seven millions in Spain, with twenty-four millions in France, and two in Holland? Will she cast off three millions of brave and loyal subjects in Ireland, at so critical and eventual a time?

“An Irish army, the wonder of the world, has now existed for three years,

years, where every foldier is a freeman, determined to shed the laſt drop of blood to defend his country, to ſupport the execution of its laws, and give vigour to its police. The enemy threaten an invaſion, the Irifh army comes forward, adminiſtration is ſtruck dumb with wonder, their deputies in their military dreſs go up to the Caſtle, not as a fervile crowd of courtiers attending the lord lieutenant's levee, but as his protectors, while the cringing crowd of ſycophants ſwarm about the treaſury, and, after having thrown away their arms, offer nothing but naked ſervitude.

“ You are now loſing the Britiſh conſtitution, which by compact you were to poſſeſs; two councils, with more than parliamentary power; dependent judges, a mutiny bill loſt, and governors like the Roman pro-conſuls in diſtant provinces are ſent over to fleece you.

“ A general election is ſhortly to take place; what will be your anſwer to thoſe, who have ſent you hither, when you reſign your delegated truſt, and they aſk you, where are our rights? Where is our ſugar bill? Where our mutiny bill?

“ What will be the conſequence of your not explaining your rights now? When a peace happens it will then be too late; your iſland will be drained of its people, the emigrants will ſay, let us prefer freedom in America to ſlavery at home, and ceaſe to be his majeſty's ſubjects here, to become his equals there. Let us not therefore ſuffer the ſame men, whoſe infamous arts were reprobated in America, to ſucceed here.” He then made his motion for an addreſs to his majeſty,

“ To aſſure his majeſty, of their moſt ſincere and unfeigned attachment to his majeſty's perſon and government.

“ To aſſure his majeſty that the people of Ireland were a free people; that the crown of Ireland was a diſtinct kingdom, with a parliament of her own, the ſole legiſlature thereof.

“ To aſſure his majeſty, that by their fundamental laws and franchiſes, which they on the part of this nation claimed and challenged as their birth-right, the ſubjects of that kingdom could not be bound, affected, or obliged, by any legiſlature, ſave only the King, Lords, and Commons, of that his majeſty's realm of Ireland; nor was there any other body of men, who had power or authority to make laws for the ſame.

“ To aſſure his majeſty, that his majeſty's ſubjects of Ireland conceived, that in that privilege was contained the very eſſence of their liberty, and
“ that

“ that they tendered it as they did their lives, and accordingly had with one
“ voice declared and protested against the interposition of any other parlia-
“ ment in the legislation of that country.

“ To assure his majesty, that they had seen with concern, the parliament of
“ Great Britain advance a claim to make law for Ireland, and their anxiety
“ was kept alive, when they perceived the same parliament still persist in that
“ claim, as might appear by recent British acts, which affected to bind Ire-
“ land, but to which the subjects of Ireland could pay no attention.

“ To assure his majesty, that next to their liberties, they valued their con-
“ nexion with Great Britain, on which they conceived, at that time most par-
“ ticularly, the happiness of both kingdoms did depend, and which, as it was
“ their most sincere wish, so should it be their principal study to cultivate and
“ render perpetual. That under that impression, they could not suggest any
“ means, whereby such connexion could so much be improved or strength-
“ ened, as by a renunciation of the claim of the British parliament, to make
“ law for Ireland, a claim useless to England, cruel to Ireland, and without
“ any foundation in law.

“ That impressed with an high sense of the unanimity and justice of the
“ British character, and in the most entire reliance on his majesty's paternal
“ care, they had set forth their right and sentiments, and without prescribing
“ any mode to his majesty, throw themselves on his royal wisdom.”

Mr. Brownlow seconded the motion, and said, the people know their rights, and it is needless for government to pretend to oppose what must at last be obtained.

Mr. Hufsey Burgh spoke also in favour of the address.

The Attorney General rose to oppose the address: he observed, that they were desired to address the king, that he would interfere with his parliament of Britain, to renounce any claim of authority over Ireland. The time was most improperly chosen to agitate that question, and the object of the motion utterly impracticable. He said, he did not mean to agitate the question of right; the act of the 6th of George the First was certainly of little ornament upon the Statute Book, and of still less use; yet if it gave nothing to England, it certainly took away nothing from Ireland. The question answered itself. Were they to agree to the address, and the British parliament should declare, that they never had any right to bind Ireland, in what a miserable situation would that country be placed. He had looked over the pa-
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pers of the forfeited estates, and found that there was scarcely a man in the house, that did not enjoy some portion of them, nor a county in Ireland, of which they did not make a considerable part. A worthy representative of the county of Cavan holds a large property, formerly forfeited, and afterwards granted by an English law. Would he doubt the validity of his title? Many gentlemen, who heard him were in the same situation. Some days ago the observation of a learned friend of his (Mr. Fitzgibbon) electrified the house, when he told them, that they were about to disturb all property derived under the laws of forfeiture, &c. &c. What then must be their feelings, when desired to loose all the bands, which unite society, and leave almost the whole property of the kingdom to be grappled for by the descendants of the ancient proprietors.

The honorable gentleman had said, that now when Great Britain was hemmed in by enemies on every side, when sinking under a load of debt, and the repeated strokes of ill fortunes, no resistance could be feared from her, when Ireland was in full vigour, expert in arms, and almost certain of success—now was the proper time for demanding from Britain the relinquishment of what their ancestors had handed down from age to age; to make the British parliament eat up their words and humble themselves; to make them disclaim a power, which they had exercised for the benefit of Ireland, and to plunge the nation into an armed anarchy. If an ambassador from France or Spain, or if the boldest agents for the rebels of America were at the bar to urge the house in language such as that, he should not be much surprised; for it ill accorded with the loyal and liberal feelings of Irishmen, who scorn to take advantage of an enemy in distress, but always remember acts of friendship with gratitude; he was therefore against the address, because it would give the world an opportunity of saying Ireland had made demands on Great Britain, and was in arms to enforce them. He was against it, because it was a challenge, though couched in terms of civility; because it tended to anarchy and misrule; because the thing contended for could never gain strength but by struggle; and because, if obtained, it would shake all the property in the nation. Upon those principles he thought it an honor to oppose the address in any way; but from respect to the honorable mover, he would not give it a direct negative, but move to have it put off to the first of August; upon which motion the house divided, 137 for the attorney general's motion, and 68 against it.

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As government affected, that the late division against the address did not involve the question of right in Great Britain to bind Ireland by legislative acts, the patriots resolved to return to the charge, and force, if they possibly could, an acknowledgment from a majority of that house of the independence of Ireland upon the British legislature. On the 26th of February, 1782, *Mr. Flood, in a short but elegant speech of about fifteen minutes, stated the rights of Ireland, and then moved the two following resolutions :

1st. "That the members of this house are the only representatives of the people of Ireland."

2d. "That the consent of the commons is indispensably necessary to render any statute binding."

The second, he said, he would not move till the first was determined upon.

The Solicitor General opposed the motion as unnecessary, and what every man allowed. He moved an amendment after the word resolved, "That it was not now necessary to declare." This brought on a debate, as he declared the amendment was proposed in order to negative the motion if the amendment passed.

The amendment was supported by Mr. Fitzgibbon, Mr. Mafon, Sir Boyle Roche, and other gentlemen. The resolution was supported by Mr. Ogle, Mr. Grattan, Mr. Brownlow, Mr. Forbes, &c.

Mr. Yelverton openly challenged any man. The attorney general repeated his former opinion. He observed, that he had before declared he would not go into the question of right, and that, therefore, it was unfair and uncandid in any gentleman to extort his expression, or assume for granted positions not under debate. He then rose to deliver his political creed. England had assumed and exercised a power of making laws to bind Ireland; she had repealed some of them that were oppressive, and that house had returned thanks for the repeal; but he should shake all the property of the land by declaring that the laws, under which it was holden, had no authority; and, therefore, it was best to leave those statutes as they were: yet, as an Irishman, and a friend to Great Britain, he would say, that if Great Britain should attempt to make any new laws, they would not be obeyed. He was the depositary of the laws of Ireland, not of England; and it is absurd to suppose, that an officer delivering his opinion could give away any

* 1 Parl. Debates, p. 279:

right that did exist: the legislature alone, that made laws, had power to repeal them.

Sir Hercules Langrishe said, that universal coincidence of opinion on this subject, and the universal acknowledgment of the great truth, which was the substance of the resolution, made the motion unnecessary, and if it were necessary, it was unadvisable. The honorable member knew there was but one opinion on that subject through the nation: the nation to a man, from the magistrate who was to enforce, to the people who were to obey the laws: they had all declared it; and that conviction, impressed on the minds of a spirited people, was a security an hundred times as strong as any parliamentary declaration of their own, which could give no strength to the great charter, which they read in their Statute Book, or the great enforcement they felt in themselves. If they complained of the laws, they seemed to feel them. If they neither acknowledged nor obeyed them, they could not feel them. He concluded, that it was not necessary to make that declaration.

Mr. Daly and the Provost spoke in support of the independence of Ireland, but did not see the necessity of making a declaration at that time on a subject, which was not contested; so when the house divided, there appeared for the declaration only 76, and against it 137.

The heads of the Roman Catholic bill in their progress through the committee occasioned several debates, in which most of the speakers in the house delivered their sentiments: all unexceptionably avowed principles of toleration, but many differed upon particular topics arising out of the general subject. Mr. Flood, professing himself a friend to the bill, and declaring that he loved and admired the Roman Catholics, wished them to have permanent property, but not political power; but conceived that the possession of the fee simple would give political power, by commanding influence in elections. Mr. Montgomery supported Mr. Flood's objection, as did also Mr. Warburton, Mr. Rowley, Mr. John Burke, Mr. Coote, and particularly Mr. St. George. Mr. Fitzgibbon, Mr. Mason, Mr. Bushe, and several others, were strenuous against Catholics receiving foreign education, and were for their being admitted to the university. Several members objected against their being permitted the open and public exercise of their religion, and still more against allowing the same toleration to the regular clergy, as to the secular priests. Mr. Yelverton, the Provost, General Cunningham, Mr. Grattan, Mr. Forbes, Mr. D. Daly, Mr. Hufsey Burgh, Mr. Dillon, Captain Hall, Sir

Lucius O'Bryan, and Mr. Mossom, declared themselves warm advocates for removing the whole penal code from the Roman Catholics, and zealously espoused their cause, not only in justice to them, but for the general benefit and welfare of the country. Mr. Gardiner, wishing to avail himself of the general disposition of the house to grant some relief to the Catholics, moulded the matter he had brought before the house into the form of three separate bills, the first of which afterwards passed into an act, intituled, *An Act for the further Relief of his Majesty's Subjects of this Kingdom professing the Roman Catholic Religion*.^{*} The act recites, "that all such subjects as had taken the oath of allegiance prescribed by the 13th and 14th of Geo. III. c. 34. ought to be considered as good and loyal subjects, and that the continuance of several of the Popery laws affecting them was unnecessary, and injurious to the real welfare and prosperity of Ireland." It then enables Catholics to take, hold, and dispose of lands and hereditaments in the same manner as Protestants: (except advowsons and manors, or boroughs returning members for parliament.) It removes several penalties from such of the clergy, as shall have taken the oath and been registered; it confines its operation to the regular clergy then within that kingdom, (by which the succession of other regulars from abroad might be prevented) it deprives any clergyman, officiating in a church or chapel with a steeple or bell of the benefit of the act, and repeals several of the most noxious parts of the acts of Ann and Geo. I. and Geo. II.†

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^{*} 21 and 22 Geo. III. c. 24.

† Such as the power given to a magistrate to fine and imprison every Papist refusing to appear and declare upon oath when and where he had last heard mass, who celebrated and assisted at it, and the residence of any Popish ecclesiastic: such as prohibited a Papist to have a horse of the value of 5*l.* under certain penalties, and which enabled the chief governor to seize all their horses upon any invasion or intestine war likely to happen: such as enabled the grand jury to present the reimbursing of all robberies and depredations of privateers in time of war upon the real and personal estate of the Catholics within the county: such as subjected every Catholic to certain penalties, who did not provide a Protestant watchman to watch in his turn: and such as subjected to certain penalties every Catholic, who should take or purchase a house in Limerick or Galway, or the suburbs thereof.

In the course of these debates (1 Parl. Deb. p. 811) Mr. Bushe expressed a desire, that a clause should be inserted in the bill to ease the Roman Catholics from a most oppressive law, then in being, which compelled them to make good the depredations committed by robbers in the country, in which they resided. He instanced a transaction, which happened within his own knowledge, in the county of Kilkenny: a number of villains, under the denomination of White Boys, assembled a
few

The second bill was for providing for the education of the Catholics, which afterwards passed into a law, intituled,* *An Act to allow Persons professing the Popish Religion to teach School in this Kingdom, and for the regulating the Education of Papists, and also to repeal Parts of certain Laws relative to the Guardianship of their Children.* The act repeals as much of the acts of William and Ann as imposed on Catholics teaching school, or privately instructing youth in learning; the same pains, penalties, and forfeitures as any Popish regular convict was subject to; but excepts out of its benefit any person, who should not have taken the late oath of allegiance, who should receive a Protestant scholar, or who should become an usher to a Protestant schoolmaster. The act also enables Catholics (not being ecclesiastics) to be guardians to their own or any Popish child. When Mr. Gardiner proposed his third bill, which was for establishing intermarriages between Protestants and Roman Catholics, the house divided upon it, and the bill was negatived by a majority of eight.†

Mr. Gardiner's bill, which in its original form was one, had been long drawn and considered by men of eminence on both sides of the water, before it was brought forward in the Irish House of Commons. Much previous negotiation was requisite ere Mr. Gardiner dared venture it to the discretion of the house. The great opposition to it was given from the Archbishop of Cashell's interest: several others, who held places under government, were also adverse. Certain it is, that government gave no direct countenance or support to it, though several supporters of government cordially favoured the measure. These bills were viewed in very opposite lights by different de-

few years since, and did considerable mischief; the grand jury, from the affidavits of the sufferers, granted a presentment accordingly; a short time after, one of the offenders was apprehended, who proved to be a Protestant, and was executed for the offence. He said, there was no other proof required by this iniquitous act, to obtain a presentment on the Roman Catholic inhabitants, than to swear that the plunderers spoke with the Irish accent.

Another hardship that the people of that persuasion laboured under, from that oppressive law, was, that an individual could be compelled to pay the whole sum, notwithstanding he lived in a distant part of the country from the place, where the offence was committed.

One of the members instanced a gentleman, who resided within a mile of his own house, and near thirty miles from where the offence was committed, on whom they levied the amount, by virtue of an execution taken out of the crown office, and that he and his family were beggars about the country ever after.

* 21 and 22 Geo. III. c. 62.

† 10 Journ. Com. p. 317.

scriptions of persons. Some considered them as ruinous to the Protestant ascendancy in Ireland, and therefore opposed them in every stage: others considered them too liberal, although some encouragement ought to be given to the long tried and then much wanted fidelity of the Catholic body: a third was disposed to grant even more, than these bills imported; though they still maintained, that the great body of the Irish Catholics were to be kept in a civil subordination to the privileged order of Protestants. And a fourth openly and unequivocally declared, that national justice and national policy demanded the complete emancipation of the Catholics, and a perfect civil amalgamation of the whole Irish people. There is no question, but that the slightest interference of government would have procured at that time much larger concessions than those, which the bills imported. The public mind had not as yet shaken off its old trammels of prejudice.* Many cried loudly

* The enlightened mind of Mr. Burke saw things as they really were through the mists and clouds of inveterate habit, prejudice, and bigotry, which disfigured them to others. In a letter he wrote to a noble peer of Ireland upon this bill (printed in London 1785) he says, "To look at the bill, in the abstract, it is neither more nor less than a renewed act of universal, unmitigated, indispensable, exceptionless disqualification. One would imagine, that a bill inflicting such a multitude of incapacities, had followed on the heels of a conquest, made by a very fierce enemy, under the impression of recent animosity and resentment. No man, on reading that bill, could imagine he was reading an act of amnesty and indulgence. This I say on memory. It recites the oath, and that Catholics ought to be considered as good and loyal subjects to his majesty, his crown and government: then follows an universal exclusion of those good and loyal subjects from every, even the lowest office of trust and profit, or from any vote at an election; from any privilege in a town corporate; from being even a freeman of such corporations; from serving on grand juries; from a vote at a vestry; from having a gun in his house, from being a barrister, attorney, solicitor, or &c. &c. &c."

"This has surely much more the air of a table of proscriptions, than an act of grace. What must we suppose the laws, concerning those good subjects, to have been, of which this is a relaxation? When a very great portion of the labour of individuals goes to the state, and is by the state again refunded to individuals through the medium of offices, and in this circuitous progress from the public to the private fund indemnifies the families, from whom it is taken, an equitable balance between the government and the subject is established. But if a great body of the people who contribute to this state lottery, are excluded from all the prizes, the stopping the circulation with regard to them must be a most cruel hardship, amounting in effect to being double and treble taxed, and will be felt as such to the very quick by all the families, high and low, of those hundreds of thousands, who are denied their chance in the returned fruits of their own industry. This is the thing meant by those who look on the public revenue only as a spoil; and will naturally
"with

loudly against persecution, who still voted for the disabilities, pains, penalties, and forfeitures of their fellow subjects. The rejection of the *inter-marriage bill, by the commons of that day, evidently demonstrates the wishes and

" wish to have as few as possible concerned in the division of the booty. If a state should be so un-
 " happy as to think it cannot subsist without such a barbarous proscription, the persons so pro-
 " scribed ought to be indemnified by the remission of a large part of their taxes, by an immunity
 " from the offices of public burden, and by an exemption from being pressed into any military or
 " naval service. Why are Catholics excluded from the law? Do not they expend money in their
 " suits? Why may not they indemnify themselves by profiting in the persons of some for the losses
 " incurred by others? Why may they not have persons of confidence, whom they may, if they
 " please, employ in the agency of their affairs? The exclusion from the law, from grand juries,
 " from sheriffships, and under-sheriffships, as well as from freedom in any corporation, may sub-
 " ject them to dreadful hardships, as it may exclude them wholly from all that is beneficial, and ex-
 " pose them to all that is mischievous in a trial by jury. This was manifestly within my own ob-
 " servation, for I was three times in Ireland from the year 1760 to the year 1767, where I had
 " sufficient means of information, concerning the inhuman proceedings, among which were many
 " cruel murders, besides an infinity of outrages and oppressions unknown before in a civilized age,
 " which prevailed during that period in consequence of a pretended conspiracy among the Roman
 " Catholics against the king's government. I could dilate upon the mischiefs that may happen,
 " from those, which have happened upon this head of disqualification, if it were at all necessary.

" The head of exclusion from votes for members of parliament is closely connected with the for-
 " mer. When you cast your eye on the Statute Book, you will see, that no Catholic, even in the
 " ferocious act of Queen Anne, was disabled from voting, on account of his religion; the only
 " conditions required for that privilege, were the oaths of allegiance and abjuration both relative to
 " a civil concern. Parliament has since added another oath of the same kind; and yet an House
 " of Commons adding to the securities of government in proportion as its danger is confessedly
 " lessened, and professing both confidence and indulgence, takes away, in effect, the privilege left
 " by an act full of jealousy, and professing persecution.

" The taking away of a vote is the taking away the shield, which the subject has, not only against
 " the oppression of power, but that worst of all oppressions, the persecution of private society, and
 " private manners. No candidate for parliamentary influence is obliged to the least attention towards
 " them, either in cities or counties. On the contrary, if they should become obnoxious to any bigoted
 " or malignant people, amongst whom they live, it will become the interest of those, who court po-
 " pular favor, to use the numberless means, which always reside in magistracy and influence, to op-
 " press them. The proceedings in a certain county in Munster during the unfortunate period I have
 " mentioned, read a strong lecture on the cruelty of depriving men of that shield, on account of
 " their speculative opinions."

* Mr. Burke has also spoken strongly of the act prohibiting the intermarriages of Protestants and Catholics, which was passed in the short administration of Lord Chesterfield. "Mr. Gardiner's humanity," says he, (p. 25) "was shocked at it, as one of the worst parts of that truly barbarous system, if
 " one.

and determination of the majority of their house to keep Ireland a divided people, in order to support the oligarchy of a privileged order over the rest of the community, as a vilified and degraded cast.

Although these, and some other bills did not receive the royal assent during the vice-royalty of Lord Carlisle, yet having been brought forward under him, they may be considered as acts of his administration. Such also was the bill* for establishing a national bank of Ireland, with some other beneficial bills of regulation. As the Irish administration was but a subordinate part of that of Great Britain, it was natural, that the lord lieutenant and his secretary should carry on matters with a less high hand, when once they perceived the opposition in Great Britain daily gaining ground, and hastening the downfall of that ill-fated† ministry, which had weakened the British empire

“ one could well settle the preference, where almost all the parts were outrages on the laws of humanity, and the law of nature. This man, (Lord Chesterfield) while he was duping the credulity of Papists with fine words in private, and commending their good behaviour during a rebellion in Great Britain, as it well deserved to be commended and rewarded, was capable of urging penal laws against them in a speech from the throne, and stimulating with provocatives the wearied and half exhausted bigotry of the then parliament of Ireland. They sat to work, but were at a loss what to do; for they had already almost gone through every contrivance, which could waste the vigour of their country: but, after much struggle, they produced a child of their old age, the shocking and unnatural act about marriages, which tended to finish the scheme for making the people not only two distinct parties for ever, but keeping them as two distinct species in the same land.”

* 21 & 22 Geo. III. c. xvi.

† The first unequivocal symptom of the downfall of Lord North's administration, was the resignation of Lord George Germaine (3 Bels. Mem. Geo. III. p. 244.) The unpopularity of the American secretary was so great and manifest, that he now thought it expedient, seeing parliamentary censures likely to become again in fashion, to resign the seals of that department, and for his eminent services, he was, by his majesty, raised to the dignity of the peerage. But before the great seal was affixed to the patent, the Marquis of Carmarthen moved in the house of peers, “ That it was highly derogatory to the honor of that house, that any person labouring under the sentence of a court-martial, styled in the public orders issued by his late majesty, *a censure much worse than death*, and adjudged unfit to serve his majesty in any military capacity, should be recommended to the crown as a proper person to sit in that house.”

The motion was evaded by the question of adjournment; but Lord George Germaine having actually taken his seat in the house under the title of Lord Viscount Sackville, the Marquis of Carmarthen renewed his attack, and urged, “ that the house of peers being a court of honor, it behoved them to preserve that honor uncontaminated, and to mark in the most forcible manner
“ their

pire by the loss of her American colonies, the useless sacrifice of one hundred thousand lives, and the accumulation of above a hundred millions of national debt.

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“ their disapprobation of the introduction of a person into that assembly, who was stigmatized in the orderly books of every regiment in the service.”

Lord Abingdon, who seconded the motion, styled the admission of Lord George Germaine to a peerage, “ an insufferable indignity to that house, and an outrageous insult to the public.”

The motion was powerfully supported by the Duke of Richmond, Lord Southampton, the Earl of Shelburne, the Marquis of Rockingham, and other distinguished peers. On the division, nevertheless, it was rejected by a majority of 93 to 28 voices: a protest, however, was entered on the journals of the house, declaring the promotion of his lordship to be “ a measure fatal to the interests of the crown, insulting to the memory of the late sovereign, and highly derogatory to the dignity of the house.”

Mr. Fox, on the 20th of February, 1782, again brought forward his motion of censure, somewhat varied, on Lord Sandwich, which was negatived by a majority of 19 voices only, in a house consisting of 453 members; but to the astonishment of the nation, the noble lord still daringly kept possession of his office, although 217 members of the House of Commons had pronounced him “ guilty of a shameful mismanagement of the naval affairs of Great Britain.” And on the 22d of February, General Conway moved “ for an address to the king, earnestly imploring his majesty that he would be graciously pleased to listen to the humble prayer and advice of his faithful Commons, that the war on the continent of North America might no longer be pursued, for the impracticable purpose of reducing that country to obedience by force.” This was opposed in a long speech by Mr. Welbore Ellis, (now Lord Mendip) the new secretary for the American department; and on the division, the minister had the fearful majority of one voice only. On Mr. W. Ellis Mr. Burke was powerfully severe in his answer. “ This war,” said he, “ had been amazingly fertile in the growth of new statesmen; the right honorable gentleman was indeed an old member, but a young secretary. Having, however, studied at the feet of Gamaliel, he had entered into full possession of all the parliamentary qualifications, by which his predecessor had been so conspicuously distinguished; the same attachments, the same antipathies, the same extravagant delusion, the same wild phantoms of the brain, marked the right honorable gentleman as the true ministerial heir and residuary legatee of the noble viscount: and notwithstanding the metamorphosis he had recently undergone, he was so truly the same thing in the same place, that justly might it be said of him, *‘ alter et idem nascitur,’* being of the caterpillar species, he had remained the destined time within the soft and filken folds of a lucrative employment, till having burst his ligaments, he fluttered forth the butterfly minister of the day.”

On the 15th of March, 1782, a resolution was made by Sir John (now Lord) Rous, a man once zealously attached to Lord North's administration, that the house, taking into consideration the debt incurred, and the losses sustained in the present war, could place no further confidence in the ministers, who had the direction of public affairs. A violent debate ensued; on the division, the numbers were, 227 for, and 236 against the motion. And on the 19th, the Earl of Surrey (now Duke of Norfolk) had proposed to move a similar resolution; but when his lordship was about to rise, Lord North addressed himself to the speaker, and said, “ That as he understood the object of the

One of the last acts of Mr. Eden's, in the commons, was the communication of his majesty's gracious answer to their address relative to the* affairs of Portugal, on the 5th of March, 1782. Lord Carlisle now foreseeing in the change of ministry a total change of principles and measures with reference to Ireland, and having received no fresh instructions or support from the British cabinet, wished only to carry some of the then pending bills up to the lords, on the 14th of March 1782, adjourned the parliament to the 16th of April. By that time a general change having taken place in the British ministry, Mr. Eden went to London with Lord Carlisle's resignation of the lieutenancy of that kingdom, desiring only time to make some necessary arrangements, and to close the session of parliament. On the 14th of April, his Grace the Duke of Portland arrived in Dublin, and immediately took upon him the chief government of Ireland. Mr. Eden, very speedily after his arrival in England, laid

" noble lord's motion to be the removal of ministers, he wished to prevent the necessity of giving
 " the house further trouble, by an explicit declaration, that his majesty had come to a determination, to make an entire change of administration; and he and his colleagues only retained their
 " official situation till other ministers were appointed to occupy their places."

* The answer was to the following effect:—" His majesty has received the address of the House
 " of Commons with that affectionate satisfaction, which their professions of duty, loyalty, and zealous attachment to his person and royal family, never fail to excite in his majesty's breast; and
 " his majesty does not admit a doubt, that those principles will continue to constitute, as they have
 " hitherto invariably done, a most distinguished part of the character of his people of Ireland.

" His majesty gives his faithful commons the strongest assurances, that the confidence they so
 " dutifully repose in his paternal protection, which has been constantly exerted during the course
 " of his reign, in promoting and establishing the prosperity of his kingdom of Ireland, is most
 " justly founded, as no purpose is nearer his majesty's heart than to afford them every solid proof of
 " that protection.

" His majesty is not surprised, that his faithful commons, always attentive to the true interest
 " of this country, should have observed with alarm and concern, the obstruction given in the ports
 " of Portugal to the importation of Irish woollen and printed linen manufactures into that kingdom;
 " and the full satisfaction, which the House of Commons expresses in his majesty's solicitude upon
 " this important subject, and in his unremitted endeavours to open the eyes of Portugal, not only
 " to the true sense of the treaties between the two crowns, but to a just understanding of her own
 " real interests, is graciously accepted by his majesty.

" His majesty applauds the temper and moderation of his commons upon this occasion; such a
 " conduct is always becoming of their prudence and wisdom, but particularly so in the present
 " instance, as it affords time for further exertions towards bringing this business to a happy conclusion;
 " and the House of Commons may rest assured, that his majesty will persevere in every possible effort for the attainment of that desirable end."

before

before the British parliament,* a view of the political history of Ireland during the two last years; acquainted the house with the measures, which (he said) were then forming, for rendering it totally independent of the British legislature; and concluded, with moving for leave to bring in a bill to repeal so much of the act of the 6th of George I. as asserted a right in the king and parliament of Great Britain, to make laws to bind that kingdom. The precipitation, with which a business of such magnitude and importance was thus attempted to be forced on the house, without previous communication from any of his majesty's ministers, or knowledge of their intentions, was severely censured, and the more especially as it appeared, that the right honorable gentleman had refused to give any official information to government relative to the state of the country he had just left. Mr. Eden, though loudly called on to withdraw his motion, persisted in urging its necessity; and in vindication of his own conduct, stated, that the reason of his refusing to have any communication with his majesty's present servants, was the great want of attention to the Earl of Carlisle, which they had shewn in the mode of appointing his successor, and in his removal from the lord lieutenancy of the East Riding of Yorkshire. This apology served rather to increase the displeasure of the house; a motion of censure on his conduct was threatened; and it was with great difficulty he was at last brought to comply with the general wish of the house in withdrawing his motion. Mr. Fox informed the house in the course of this debate, that the ministers of the crown, during the short time they had been in office, had actually holden three or four councils, solely on the affairs of Ireland; and that he hoped very soon, perhaps within the next four-and-twenty hours, to lay some preparatory measure before them.

On the very next day, viz. April 9th, 1782,† Mr. Secretary Fox communicated the following message to the house:

* The debate on the situation of Ireland on the 8th of April, 1782, in the British House of Commons, is so illustrative of the ancient system of governing Ireland; so explanatory of the views and motives of the different measures imposed upon that kingdom by the British cabinet; so demonstrative of principles opposite to those of the Union and mutual prosperity of both kingdoms, that the reader will be happy to learn from the mouths of the actors themselves a complete narrative of this great revolution in the kingdom of Ireland: for which, *vide* Appendix, No. LXVIII. where the whole debate is given.

† 7 Parl. Debates, p. 24. And on the same day, a message to the same effect was delivered to the lords the first day of their meeting, and addresses were unanimously voted by both houses.

“ GEORGE R.

“ His majesty being concerned to find, that discontents and
“ jealousies are prevailing among his loyal subjects in Ireland, upon matters
“ of great weight and importance, earnestly recommends to this house, to
“ take the same into their most serious consideration, in order to such a final
“ adjustment as may give mutual satisfaction to both kingdoms. G. R.”

Mr. Secretary Fox said, that he hoped the house would give credit to his majesty's ministers on the subject of Ireland, and believe that they had not, during the short interval they had been in office, in any shape neglected to take into their consideration the very serious and alarming condition of that country; nor should they suspect, that the present message from the throne was brought down in consequence of the very singular motion made in that house the day before. His majesty was most earnestly desirous of settling the discontents and jealousies, that subsisted in the minds of his subjects of the kingdom of Ireland; and surely they deserved the name of discontents and jealousies, for they had risen to be very dangerous and alarming. The measures, which his majesty's ministers conceived necessary to be taken in the present instance, and which he was to propose to the house, would require a great deal of most serious discussion. He intended to move for an humble address to his majesty, to assure his majesty, that they would without delay, take into their most serious consideration this important subject; and endeavour to assist his majesty's earnest and most gracious wishes to restore confidence and harmony between the two kingdoms. The right honorable gentleman said, that though the words “ without delay,” were introduced into the motion for the address, it was by no means his intention to urge the house to any hasty or premature measure, which might heal the differences for a time, without putting a final stop and conclusion to the business. The house would perceive, that in the pretensions of the Irish, expressed by the parliament and people, the matter contained no less than the constitution of the kingdom; that it comprehended not only the commercial rights and privileges of the kingdom, but also the legislative powers and royalty. The most important objects were therefore embraced, and both nations were most materially concerned in the discussion and settlement of the matter. They were topics, upon which the house would see his majesty could not decide, without the assistance of his parliament; nor, indeed, could it be done without the concurrence and operation of both parliaments. To come to the business,

ness, therefore, with propriety, and in a manner which would give effect to their proceedings, they must have full and authentic information; and both parliaments must take time in their deliberations, and assist each other in the progress and conclusion of the business. The hasty step promised yesterday by a right honorable gentleman, would have been most unwise and impolitic. It was the duty of government to come to the matter for posterity, as well as for the present day, and in quieting the existing jealousies, to establish such a principle of relation and constitution, as should prevent future discontents from arising. He believed it would be easy for the king's ministers to do as their predecessors had done, to patch up a temporary cessation of claims, and leave to those, who were to come after them, all the dangers of an unsettled constitution, for the mean advantage of clearing themselves from difficulties, which they had not the courage to meet with fairness; but they considered it as their duty to come with determined minds to the main question, and settle the true quality and nature of the relationship which subsisted between the two countries, to ascertain their distinct constitutions, and to establish such an union between them, as should endure for ages. He hoped, from what passed yesterday, from the message of his majesty this day, and from the address to the throne in consequence thereof, declaring, that they were determined to enter seriously, and without delay into the discussion of this business, it would be clearly understood, that his majesty's ministers, and, what was much more essential, the parliament, were disposed to settle this business. This being carried over to the people of Ireland by the new lord-lieutenant, and communicated to that parliament, under the most sacred assurances from the throne, would, as it ought, have its effects upon our sister kingdom, and incline them to meet this country with the same disposition to an amicable settlement of the differences. When the lord-lieutenant was settled in his administration, the government of this country would not be denied that information, which was essential to the knowledge and discussion of the subject; and he assured the house, that whenever his majesty's ministers should be in possession of that information, they would lay it before parliament, to assist them in their deliberations on the important point. This was the plan, which they intended to pursue in the settlement of this business; and they hoped to have the assistance of all the ability, zeal, affection, and honesty of both kingdoms, in bringing it to a happy, a speedy, and a permanent conclusion. He then moved, that an humble address be presented to his majesty, to return his majesty the
thanks

thanks of that house, for his most gracious message; and to assure his majesty, that the house, feeling with his majesty the deepest concern, that discontents and jealousies should have arisen among his majesty's loyal subjects in Ireland, would, without delay, take the same into their most serious consideration, in order to such a final adjustment as might give mutual satisfaction to both kingdoms.

The Hon. Colonel Fitzpatrick begged leave to say a few words upon his leaving this country to take upon himself a most important office, for which, he said, he felt himself very unqualified, that of secretary to the lord-lieutenant of Ireland. He declared, that he had been prevailed upon to accept of that office, in the firm persuasion and confidence, that his majesty's present ministers were sincere in their professions, and that they were earnestly disposed to make such concessions to Ireland, as should quiet their jealousies, and give satisfaction to their minds. If he had not had this opinion of the king's ministers, no circumstance upon earth could have induced him to take a situation, which, at any time, he would not have coveted, and which only such opinion and confidence could make him endure. He thought, and believed, that it was the wise policy of this country to make those concessions, as from the establishment of a firm and friendly relation, founded upon a clear and known constitution, the most happy consequences would be derived to both countries. He was just on the point, he said, of leaving England, and he thought it incumbent upon him to say thus much, that it might be known upon what ground he was going to Ireland; and it gave him great pleasure to have it in his power, to communicate to the House of Commons of that country, that this house expressed the most zealous desire of coming to an amicable settlement of all differences.

The Duke of Portland, on his arrival in Dublin, was received with demonstrations of the most enraptured joy. When the parliament met according to adjournment, on the 16th of April, the galleries and bar of the House of Commons were crowded, and expectation was raised to enthusiasm. As soon as the speaker had taken the chair, Mr. John Hely Hutchinson, his majesty's principal secretary of state, arose, and announced to the house, that he was charged by the lord-lieutenant to communicate to them a message from his majesty, of the same tenor as that which had been communicated to both houses of the British parliament. He begged to say a few words, not as an officer of the crown, but as a gentleman
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of the country. As to the right of that kingdom to be bounden by no other laws, but those made by the king, lords and commons of Ireland, he had always asserted it from the seat of judicature as a judge, and in that house as a representative of the people. He should be glad that every man in Great Britain understood, that the claim was not new, it was as old as the invasion of the right; the principal lords and commons of Ireland, in the year 1641, complained of it as an innovation unknown to their ancestors. Soon after the restoration, the speaker of the House of Commons, in an address to the lord-lieutenant, and in the presence of both houses, stated the right of Ireland to be governed only by laws made by her own parliament; and soon after the revolution, this question was placed out of the reach of controversy, by the work of a great scholar and philosopher.

He then mentioned Mr. Grattan in terms of the highest respect, and said, he must ever live in the hearts of his countrymen; but the present age and posterity would be indebted to him for the greatest of all obligations, and would, but he hoped at a great distance of time, inscribe on his tomb, that he had redeemed the liberties of his country. He said, that whatever mode should be proposed for the declaration of this right, in terms the most unequivocal and explicit, whether by vote, address, or bill, should receive his strongest support, provided it contained such sentiments of duty and loyalty to the king, and affection to our fellow-subjects of Great Britain, as every man in that nation felt. When this point was fully established, it would let in new light on other parts of the constitution. He had considered those statutes, called Poynings' law, as containing strong arguments in support of the independence of the Irish legislature; but this independence being established, or at the eve of being so, he should agree to a bill for the modification of Poynings' law, so as to prevent the stopping, or altering their bills in their privy council, or the alteration of them elsewhere; for he never could agree to give any other privy council a power, which was taken from their own.

He thought it necessary, that the mutiny bill should be made triennial. He voted for it as such on its first introduction. The consequence was, his having been represented very unjustly, as inimical to the government, which he had so long served with zeal and constancy. He voted for the present act to prevent that disturbance of the public tranquillity, which the rejection of it would have immediately and unavoidably occasioned: but had declared, at the same time, his opinion in favor of a limited bill. He observed, that
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there were objects of such national concern, as could only be obtained by the spirit of the people ; that spirit was now become universal, and it was the duty of the representatives of the people, to repeat the public voice, and to conform their conduct to the determined spirit of the nation. He recommended, to proceed with unanimity and firmness, with that duty, loyalty, and attachment, which they owed to their sovereign, and with that regard to the inseparable connexion between the two kingdoms, which the constitution of Ireland, and the mutual interest of both kingdoms, required.

Mr. George Ponsonby moved, that a dutiful and loyal address should be presented to his majesty, thanking him for his most gracious message, and assuring him, that his faithful commons would immediately proceed upon the great objects he had recommended to their consideration.

Mr. Grattan said, he would state to the house his reasons for changing, in some measure, the form of the address proposed by the honorable gentleman, and hoped to induce the house, rather to declare that they had considered the causes of jealousy, and that they were contained in his original motion for a declaration of rights, which he would then move as an amendment to the address. He said he had nothing to add, but to admire by what steady virtue, the people had asserted their own rights. He was not very old, and yet he remembered Ireland a child. He had watched her growth ; from infancy she grew to arms ; from arms to liberty. She was not now afraid of the French ; she was not now afraid of the English ; she was not now afraid of herself. Her sons were no longer an arbitrary gentry ; a ruined commonalty ; Protestants oppressing Catholics ; Catholics groaning under oppression : but she was now an united land.

This house agreeing with the voice of the nation, passed the popery bill, and by so doing got more than it gave, yet found advantages from generosity, and grew rich in the very act of charity. Ye gave not, but ye formed an alliance between the Protestant and the Catholic powers, for the security of Ireland. What signifies it, that three hundred men in the House of Commons : what signifies it, that one hundred men in the House of Peers, assert their country's liberty, if unsupported by the people ? But there is not a man in Ireland ; there is not a grand jury ; there is not an association ; there is not a corps of volunteers ; there is not a meeting of their delegates, which does not maintain the independence of the Irish constitution, and pledge themselves to support the parliament in fixing that constitution on its rightful basis. Gentlemen will

will perceive, that I allude to the transaction at Dungannon: not long ago the meeting at Dungannon was considered as a very alarming measure, but I thought otherwise; I approved of it, and considered the meeting of Dungannon as an original transaction. As such only it was matter of surprize. What more extraordinary transaction than the attainment of Magna Charta? It was not attained in parliament, but by the barons, armed, and in the field. A great original transaction is not founded in precedent, it contains in itself both reason and precedent; the revolution had no precedent.

In this country every man has his share in the government; and in order to act or speak, they must confer. Now, did not necessity compel them to act? Did not necessity compel them to speak? And will not their resolutions tend to restore the rights of their country? They resolve, "that a claim of any body of men, other than the king, lords and commons of Ireland, to make laws to bind this kingdom, is unconstitutional and a grievance."

Is there any man who will deny it, for what were volunteer associations formed, but for the maintenance of the law? What is Poynings' law, and the unconstitutional power of the Irish or English privy council, but a grievance? What is a perpetual mutiny bill, but a grievance? Is there any man who will deny it, or say that we have not cause to complain of this execrated statute? And if you feel the injury, the people are ready to support you. They protest against an independent army; against a dependent legislature; against the abomination of a foreign legislature; against the assumed authority of council, they were more constitutional than more formal assemblies; they have protested only against what parliament ought to redress; and pray, sir, have not the constituents a right to inform their representatives? If England wishes well to Ireland, she has nothing to fear from her strength. The volunteers of Ireland would die in support of England. This nation is connected with England, not by allegiance only, but by liberty. The crown is one great point of union, but Magna Charta is a greater. We could get a king any where, but England is the only country, from which we could get a constitution. We are not united with England, as Judge Blackstone has foolishly said, by conquest, but by charter. Ireland has British privileges, and is by them connected with Britain: both countries are united in liberty. This being the decided sense of the nation, the men who endeavoured to make our connexion with England quadrate with this sense, are friends to England.

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We are friends to England on perfect political equality. This house of parliament knows no superior; the men of Ireland acknowledge no superiors; they have claimed laws under the constitution, and the independence of parliament under every law of God and man. He then spoke upon the appellant jurisdiction of the house of lords; and he thought, that in order to eradicate every cause of jealousy, the final judicature should reside in the peers of Ireland.

He again returned to the mutiny bill and Poynings' law, which he condemned in the most forcible manner. He said, that he wished to become the decided friend of the Duke of Portland, for removing every cause of complaint from Ireland, and that these were the terms, on which he was ready to support his government:

A repeal of the 6th of George I. including a restoration of the appellant jurisdiction to the lords of Ireland.

An abolition of the unconstitutional power of privy councils.

And a repeal of the mutiny bill.

A judge's bill he refrained from mentioning, as he had heard it was returned.

"I cannot imagine (continued he) that the present ministers of England will oppose those rights of the Irish nation; they have been for many years advocates for the liberties of England and of the colonies; it was the great rule of their opposition, and it is impossible that men, who are ready to grant independence to America, can oppose the independence of Ireland."

Mr. Grattan then moved, which was resolved *Nem. Con.*

"That an humble address should be presented to his majesty, to return his majesty the thanks of that house for his most gracious message.

"To assure his majesty of their unshaken attachment to his majesty's person and government, and of their lively sense of his paternal care, in thus taking the lead to administer content to his subjects.

"That thus encouraged by his royal interposition, they should beg leave, with all duty and affection, to lay before his majesty the cause of their discontentments and jealousies. To assure his majesty, that his subjects of Ireland were a free people; that the crown of Ireland was an imperial crown, inseparably annexed to the crown of Great Britain, on which connexion the interests and happiness of both nations essentially depended: but that the kingdom of Ireland was a distinct kingdom, with a parliament of her own,

the

“ the sole legislature thereof: that there was no body of men competent to
 “ make laws to bind this nation, except the King, Lords, and Commons of
 “ Ireland; nor any other parliament, which had any authority or power, of
 “ any sort whatsoever, in that country, save only the parliament of Ireland.
 “ To assure his majesty, that they humbly conceived, that in that right the
 “ very essence of their liberties existed: a right which, on the part of all the
 “ people of Ireland, they claimed as their birth-right, and which they could
 “ not yield up but with their lives. To assure his majesty, that they had seen
 “ with concern certain claims advanced by the parliament of Great Britain,
 “ in an act intituled, *An Act for the better securing the Dependency of Ire-*
 “ *land*; an act containing matter entirely irreconcilable to the fundamental
 “ rights of that nation. That they conceived that act, and the claims it ad-
 “ vanced, to be the great and principal cause of the discontents and jealousies
 “ in that kingdom. To assure his majesty, that his majesty’s commons of
 “ Ireland did most sincerely wish, that all the bills, which became law in Ire-
 “ land, should receive the approbation of his majesty under the great seal of
 “ Great Britain; but that yet they considered the practice of suppressing
 “ their bills in the council of Ireland, or altering the same any where, to be
 “ another just cause of discontent and jealousy. To assure his majesty, that
 “ an act intituled, *An Act for the better Accommodation of his Majesty’s*
 “ *Forces*, being unlimited in duration, and defective in other instances, but
 “ passed in that shape from the particular circumstances of the times, was
 “ another just cause of discontent and jealousy in that kingdom. That they
 “ had submitted these the principal causes of the present discontent and jea-
 “ lousy of Ireland, and remained in humble expectation of redress. That
 “ they had the greatest reliance on his majesty’s wisdom, the most sanguine
 “ expectations from his virtuous choice of a chief governor, and great con-
 “ fidence in the wise, auspicious, and constitutional councils, which they saw,
 “ with satisfaction, his majesty had adopted. That they had moreover, a
 “ high sense and veneration for the British character, and did therefore con-
 “ ceive, that the proceedings of that country, founded as they were in
 “ right, and tempered by duty, must have excited the approbation and
 “ esteem, instead of wounding the pride of the British nation. And they begged
 “ leave to assure his majesty, that they were the more confirmed in this hope,
 “ inasmuch as the people of that kingdom had never expressed a desire to

“ share the freedom of England, without declaring a determination to share her fate likewise, standing and falling with the British nation.”

Although the short space of six weeks had scarcely elapsed, since the House of Commons had triumphantly boasted of their steady adherence to the dictates of the Castle in rejecting every effort of the patriots to attain that constitutional liberty, which they had been labouring at for years; although no change had taken place during that short interval in the internal policy or situation of the country, unless the love and desire of liberty were increased by resistance; although the prevalence of example in the recognition and successful establishment of American independence had added to the enthusiasm for Irish freedom, the ductile and instantaneous versatility of that very majority in supporting the propositions, which they had before rejected, is a political phenomenon, worthy of the most serious observation. All the ministerial members of independent fortune started up in rapid succession to purify their past conduct by disclaiming the influence of place or emolument: the chastest motives of patriotism had induced them hitherto to oppose that very system, on which by the magic of new appointments they now discovered the salvation of their country depended: they even professed, that they held and believed those constitutional questions, which they had so steadily and uniformly opposed, when they were repeatedly brought forward by the patriots. On the delivery of this message, and after Mr. Grattan's speech to the house, Mr. Fitzgibbon defied the house to charge him with ever having asserted *the supremacy of the British parliament*; though he confessed he had voted with ministers against *the declaration of rights*, as judging it then improper to be moved; and more especially as he knew Lord Carlisle was then labouring with his utmost interest and influence to procure the repeal of the 6th of Geo. I. This gentleman spoke the language of his friends, and boldly declared in the house,* that *as the nation was then committed to obtain a restoration of their rights, it behoved every man to stand firm*. A congratulatory address to the Duke of Portland was proposed by Mr. O'Neil, and unanimously voted; which had no sooner passed, than Mr. Fitzgibbon observed, that as the suddenness of Lord Carlisle's departure had rendered it impossible to convey to him the opinion entertained of his administration in the way of

* 1 Parl. Deb. p. 342.

address,

address, he should move a resolution of that tendency ;* which was seconded by Mr. Daly.

Mr. O'Neil said, he was happy in paying his tribute to the late lord lieutenant: he had acted in his support, he admired his character, he approved his government.

Mr. Grattan could not agree to the motion, however Lord Carlisle might be respectable in character. Many of his measures he had disapproved and opposed; and as he could not support the motion without implying an approbation of the government, he felt himself bounden to resist it; as did Mr. Forbes and some other members.

Mr. Toler, Mr. John Beresford, the attorney general, Mr. Clements, the recorder, Mr. Gardiner, the provost, and most of the leading members of the late administration, spoke in the highest strain of panegyric upon Lord Carlisle's administration; and the resolution was carried without a division, there being about five noes.

The first division, which took place in the commons under the administration of the Duke of Portland, was on the Roman Catholic bills, when there appeared 57 for and 11 against them.† On the 4th of May, 1782, the house adjourned for three weeks, in order to give time to the determination of the British ministry in respect to the claim made by the parliament of that kingdom for a declaration of rights. The length of adjournment was rather opposed by Mr. Martin, which brought on an interesting conversation, in which

* Lord Carlisle returned thanks to the speaker of the House of Commons in the following letter.

" SIR,

Dublin, 17 April, 1782.

" I have received your letter, communicating a vote of the House of Commons, acknowledging
 " in terms highly flattering to me, the uniform and unremitted attention with which I have endeavoured, during my administration, to promote the welfare of this kingdom: I request you to
 " offer to that house, where you so worthily preside, my most sincere thanks, for this mark of national approbation. It is with cordial pleasure, that I shall ever reflect on the fortunate combination of circumstances, if by them I have been enabled to encourage the commercial interests of
 " the kingdom, to promote the great improvements of this metropolis, to give a new spring to the
 " public credit, to see the liberty of the subject secured by law, to add weight and dignity to the
 " administration of justice, conciliate to his majesty's government every persuasion and description of men, and finally to mature the measures of uniting a loyal people in general harmony and
 " happiness. Permit me to offer you my best thanks, for the very obliging expressions with which
 " you have accompanied this communication. I have the honor to be, &c.

CARLISLE."

† † Parl. Deb. p. 35.

Mr.

Mr. Fitzgibbon and Mr. Scott, the attorney general, spoke on the independent rights of Ireland with as much enthusiasm, as the highest flying patriot under the late administration. They both pointedly reprobated the appellant jurisdiction to the House of Lords in Great Britain, and followed Mr. Grattan in calling upon their countrymen to renounce it for ever. It is but justice to those noble patriots, by whose persevering and undaunted efforts Ireland regained her rights, to hand down to posterity some of the avowals and honorable testimonials of those very persons, who marshalled the ranks, who stimulated the spirit, who led on the charge of their opponents in the long unavailing struggle for liberty.

Mr. Fitzgibbon, referring to his former declaration, "that as he had been cautious in committing his country, so now that it was committed, he would be firm in supporting its rights;" said, that as the right of making laws to bind Ireland lay in their King, Lords, and Commons, to the total exclusion of all foreign interference, it was idle to suppose that any appeal ought to lie from the law courts there: and the attorney general said, he was persuaded, that if after what had passed and been pressed by so many gentlemen of consideration and distinction he should remain silent, there was not a man in that house, who would not attribute it to fear, paltry fear of losing his office and situation; he had, he confessed, heretofore protracted, postponed, palliated, and endeavoured to soothe that country from declarations or acts of extremity; his sentiments had been much misrepresented to his disadvantage; but he was not surprised or offended, that the nation, eager in the pursuit of a great and favourite object, should have considered any man, who seemed to differ from them in sentiment, as an object of detestation and resentment. He thought it better, that every object of those British laws should be doomed to destruction, than that his country should longer even be supposed to be in a state of slavery; he therefore called the attention of the house, to bear witness, that by holding a mysterious or equivocal silence longer upon the subject of right, he should do equal injury to the interests of Great Britain and Ireland. He did consequently, as a lawyer, a faithful servant to the crown, a well-wisher to both countries, and an honest Irishman, in the most unqualified, unlimited, and explicit manner, declare his opinion, that Great Britain had no right whatsoever to bind that country by any law; and that such acts as had been passed for that purpose in Great Britain, were founded in usurpation or the necessity and confusion of the times; that he
never

never had a doubt upon the question of right, though from motives of prudence and a desire of peace, he had heretofore thought it necessary not to declare any opinion upon the question of right. Their conduct during the present American war entitles them, he said, to more than they asked. Another event which had lately happened, and made it necessary for him to speak out, was Mr. Wallace's bill, offering freedom to America. This act operated as an act of pains and penalties to the loyalty of Ireland; for if America be declared free, and Ireland left in slavery, no man of either spirit, sentiment, or property, would remain in the country an hour after America should have been declared independent. Ireland would become the absolute sink of the universe, the only part of the British dominions, which could not boast the freedom of the British constitution. As the friend of Great Britain and Ireland, he thought it necessary to express these sentiments boldly; for if in his situation he were longer to continue silent, it might be thought in Great Britain, that there was yet a diversity of opinion in Ireland.

The situation of Ireland was now fairly brought under the full consideration of his majesty's servants;* and the necessary consequence of it, was a proper sense of the spirit, strength, and importance of Ireland, and of the necessity of a cordial co-operation of the two countries for the prosperity of the British empire. By accord the whole powers of the state were brought to bear upon the point on the same day (17 May, 1782) in the houses of both parliaments. The Earl of Shelburne (now Marquis of Lansdown) in the British House of Peers moved to have the king's message, the addresses of the

* We are informed by Lord Clare (Sp. 33) that on the 6th of May the Duke of Portland wrote to Lord Shelburne, "recommending to the British cabinet concession of all the points demanded by the Irish addresses," but "stating his perfect confidence in the readiness of the Irish parliament to co-operate in the most effectual measures either with the king's confidential servants, or by commissioners to be appointed, or through the medium of the chief governor; to settle the precise limits of the independence which was required, the consideration which should be given for the protection expected, and the proportion, which it would be proper for them to contribute towards the general support of the empire; in pursuance of the declaration contained in the concluding paragraph of their own address. The regulation of the trade would make a very necessary article of the treaty." This communication was made by the Duke of Portland before the claims of Ireland were brought into discussion in the British parliament: and plainly on the faith of this representation made to the British cabinet, of the readiness on the part of Ireland to settle every question of imperial policy or regulation, which might thereafter arise, the subject of the Irish claims was brought on in the British parliament.

lords and commons of Ireland in return to it, and the 6th of George I. for the better securing the dependance of Ireland on the crown of Great Britain, read; and when they had been read, in a most liberal, instructive, and constitutional speech, he displayed the powers of the accomplished orator and statesman. He proposed to lay before their lordships his sentiments, without the least reserve, to make a full discussion of one of the most important subjects, that ever came before them, and to observe in that stage of the business, that same open, frank, and strict conduct, which he had ever observed in his communication with Ireland. It always had been, and it always should be, the line of his conduct, to act openly and without disguise, trusting that, as he spoke his own sentiments freely, and never should attempt to deceive parliament, other lords would express theirs with as little reserve; for he wished to invite an open discussion of great national questions. Ireland had demanded by the papers on the table, four things; the first and the most essential to them was a free constitution, which they would not be said to enjoy while they were subject to laws not made with their own consent. But this had long been a subject of complaint; and it was one of the great grievances required to be redressed by every part of the Irish in the war which began in 1640.

The claim had at all times been made, and now that Ireland was united, religious disputes all composed, growing in wealth and strength, and fast improving in all the arts of peace, it was impolitic, it would be unjust, and he believed he might appeal to their lordships' conviction, that it would be impossible to resist the claim: he should therefore move a repeal of the act he had desired to be read, which would give quiet and satisfaction to the minds of the Irish, and leave no cause to check the affection and zeal they felt for this country, whose fate they had declared themselves willing to share. There was in this act another matter, the judicature of the lords, which he was aware would be thought by some to be distinct from the legislature. It happened, that the two subjects were clearly connected in the act he had moved to repeal; the history of which he fully went into.

That was all he meant to propose, as matter of parliamentary decision; but there were other points for the executive power, which he did not mean to dissemble, for in all affairs he desired to be plain, open, and direct. The condition of the Irish parliament was singularly clogged by ancient statutes, framed for the times, and which, though softened by practice, were still a
great

great check to their freedom. Their lordships would see he meant Poynings' law; of the unreasonableness and inconveniency of which he spoke very fully. The people of Ireland wished to be relieved from it, and either by a repeal, or a modification, he thought it was sound wisdom to comply with their desires. The perpetuity of the mutiny act was another subject of complaint, in which he thought, as it was a matter of internal regulation, it was just to comply with the desire of Ireland, that there should be no distinction between that country and Great Britain. He concluded with expressing his strong reliance on the affection and gratitude, which such fair and liberal concessions would excite, and strenuously urged the necessity of union at that moment with our sister kingdom, and that she might be made to feel in the language of our holy prayers, *that our service is perfect freedom.*

He concluded with reading two motions;

First, "That it was the opinion of that house, that the act of the 6th of George I. intituled, *An Act for the better securing the dependency of Ireland upon the Crown of Great Britain*, ought to be repealed."

Second, "That it was the opinion of that house, that it was indispensable to the interests and happiness of both kingdoms, that the connexion between them should be established by mutual consent, upon a solid and permanent footing, and that an humble address should be presented to his majesty, that his majesty would be graciously pleased to take such measures as his majesty in his royal wisdom should think most conducive to that important end."

When he had moved the second,

The Earl of Carlisle, in an elegant speech, expressed his approbation of the motions. He bore ample testimony to the zeal and loyalty of the Irish, and particularly stated the honorable conduct of the volunteers, and the liberal offers made of their service, when Ireland was threatened with an attack. He said, that had he been more persuaded than he was, that Ireland had ever relinquished its right of free legislation, which he knew they neither had, nor could give up, he should still have thought it wise to accede to their claim; because he knew, that from the gratitude and affection of the country, and the wisdom of the parliament, much more advantage would arise to this country, than by maintaining any offensive and ill-founded pretensions to control over them.

Lord Camden, Lord Ashburton, the Dukes of Richmond and Chandos,
* G and

and indeed the whole House of Peers, eagerly assented to Lord Shelburne's motions, except Lord Loughborough (now Earl of Roselyn), who tenaciously opposed them; and he alone prevented them from passing *Nemine Contradicente*. *On the same day the House of Commons resolved itself into a committee upon the Irish addresses, when Mr. Fox, with his usual liberality, candour, and power, said, he would speak as plainly, as roundly, and intelligibly as he could. He considered the same four points, to which Lord Shelburne had confined the demands of Ireland, and spoke minutely to each: and first, on the 6th of Geo. I. it had always been his opinion out of office, that it was downright tyranny, to make laws for the internal government of a people, who were not represented among those, by whom such laws were made. This was an opinion so founded in justice, reason, and equity, that in no situation had he, or would he ever depart from it. Ireland had reason to spurn at the power of external legislation, because it had been hitherto employed for the purpose only of oppressing and distressing her. Had Ireland never been made to feel this power as a curse, she never would have complained of it; fatally for this country, the power of external legislation had been employed against Ireland as an instrument of oppression, to establish an impolitic monopoly in trade; to enrich one country at the expence of the other. When the Irish first complained of this monopoly about four years ago, and asked as favors what they might have claimed as a right, they were opposed in that house, and their demands, which were no less modest than just, were disregarded. The demands were rejected, when the then first confidential servant of the crown came down to vote against them; the influence of the minister was exerted, perhaps for the purpose of preserving a few votes on other occasions, and the rights and distresses of Ireland were consigned to oblivion.

It was his intention not to pursue the footsteps of his predecessors; and therefore he would agree to the demands of the Irish, relative to the 6th of Geo. I. not because he was intimidated, and afraid to oppose them; but because he believed them to be founded in justice; for his part he had rather see Ireland totally separated from the crown of England, than kept in obedience only by force; unwilling subjects were little better than enemies; it would be better not to have subjects at all, than to have such as would be continually on the watch, to seize the opportunity of making themselves free. If

* 7 Parl. Deb. p. 106.

this country should attempt to coerce Ireland, and succeed in the attempt, the consequence would be, that, at the breaking out of every war with any foreign power, the first step must be to send troops over to secure Ireland, instead of calling upon her to give a willing support to the common cause. As the people of Ireland had one and all declared, that they would not execute or obey any order of any English tribunal, it would therefore be nugatory and absurd to maintain the appellant jurisdiction to Great Britain; and consequently it would be better to give it up with a good grace, than to keep it as a bone of contention between the two countries. He came next to the modification of the law of Poynings, which he was free to confess appeared to him improper: and therefore he could have no objection to advise his majesty to consent to the modification, that they required of that law; but he was convinced that, like the 6th of George I. this power of altering might have still remained, if an improper use had not been made of it; but to his knowledge it had been grossly abused; in one instance in particular, a bill had been sent over to England two years ago, granting, and very wisely and very justly granting, indulgencies to the Roman Catholics; in that same bill there was a clause in favor of the Dissenters for repealing the sacramental test; this clause was struck out, contrary, in his opinion, to sound policy, as the alteration tended to make an improper discrimination between two descriptions of men, which did not tend to the union of the people. It was by such conduct, that the Irish were driven to pronounce the interference of the English privy council in altering their bills, a grievance, though in his opinion, the power would never have been complained of, if it had never been abused. He came lastly to the mutiny bill, and he freely confessed, that it was no matter of surprize, that the Irish should object to a clause which gave a perpetual establishment to a military force in their country; and so hostile did he deem such a clause to the constitution of England as well as of Ireland, that if the Irish had never mentioned this law among their grievances, he would have held it to be his duty, as an Englishman, to have recommended the repeal of it. Ireland had spoken out, and clearly and plainly stated what she wanted; he would be as open with her, and though he might perhaps have been better pleased, if the mode of asking had been different, still he would meet her upon her own terms, and give her every thing she wanted, in the way, which she herself wished for it. She therefore could have no reason to complain; the terms acceded to by England,

land, were proposed by herself; the manner of redress had been prescribed by herself, and all her wishes would now be gratified in the way which she herself liked best: but as it was possible, that if nothing more was to be done, than what he had stated to be his intention, Ireland might perhaps think of fresh grievances, and rise yearly in her demands; it was fit and proper that something should be now done towards establishing on a firm and solid basis, the future connexion of the two kingdoms. But that was not to be proposed by him in parliament; it would be the duty of the crown to look to that; the business might be first begun by his majesty's servants in Ireland; and if afterwards it should be necessary to enter into a treaty, commissioners might be sent from the British parliament, or from the crown, to enter upon it, and bring the negotiation to a happy issue, by giving mutual satisfaction to both countries, and establishing a treaty which should be sanctified by the most solemn forms of the constitutions of both countries. He entertained no gloomy thoughts with respect to Ireland: he had not a doubt but she would be satisfied with the manner, in which England was about to comply with her demands; and that in affection, as well as in interest, they would be but one people. If any man entertained gloomy ideas, he desired him to look at the concluding paragraph of the Irish addresses, where he would find, that the Irish people and parliament were filled with the most earnest desire to support England, to have the same enemy and the same friend; in a word, to stand or fall with England. He desired gentlemen to look forward to that happy period, when Ireland should experience the blessings that attend freedom of trade and constitution; when by the richness and fertility of her soil, the industry of her manufacturers, and the increase of her population, she should become a powerful country: then might England look for powerful assistance in seamen to man her fleets, and soldiers to fight her battles. England renouncing all right to legislate for Ireland, the latter would most cordially support the former as a friend, whom she loved; if this country on the other hand, were to assume the power of making laws for Ireland, she must only make an enemy instead of a friend; for where there is not a community of interests, and a mutual regard for those interests, there the party, whose interests are sacrificed, becomes an enemy. The intestine divisions of Ireland were no more; the religious prejudices of former ages were forgotten, and the Roman Catholics being restored to the rights of men and citizens, would become an accession of strength and wealth to the empire at large, instead of

of being a burthen to the land, that bore them. The Dissenters had tasted of the liberality of the legislature, and now in common with their Roman Catholic brethren would enjoy that happy toleration, which does not confer more happiness on those, who are the objects of it, than it does honor to those, who establish it.

Upon the whole he was convinced, that the Irish desired nothing more ardently than proper grounds for being most cordially united to England; and he was sure, that they would be attached to this country, even to bigotry. Of the volunteers, he must speak respectfully: they had acted with temper and moderation, notwithstanding their steadiness: and he must in justice to them, and to his own principles, declare, that they had not done a single act, for which they had not his veneration and respect; and whatever blame there might be discovered in the course of the business, he did not impute a particle of it to Ireland, but laid it all at the door of the late administration. He concluded by moving, “ that it is the opinion of this committee, that the act of ‘ the 6th of George I. entitled *An act for better securing the dependence of Ireland on the crown of Great Britain*, ought to be repealed.” He just observed, that this would be a pledge to the Irish of the sincerity of his majesty’s ministers to deal fairly and openly with Ireland, through the whole of this important business. Mr. T. Pitt, and several other gentlemen, who had before taken a part against Ireland, spoke in support of the motion: even Mr. Eden was forward in supporting it. The question was carried unanimously.

Mr. Fox then moved for leave to bring in a bill for repealing the 6th of George I. and then, that an address should be presented to his majesty, praying, that he would be graciously pleased to take such steps, as should tend to render the connexion between the two kingdoms solid and permanent. And lastly, that it was the opinion of the committee, that the interests of the two kingdoms were inseparable, and that their connexion ought to be founded on a solid and permanent basis; which motions and resolution were unanimously agreed to.

In the meanwhile a correspondence between the members of the two countries was kept up. A letter was written on the 20th of May, 1782, by the Duke of Portland, to Mr. Fox, in answer to a dispatch received from him. “ I should be very glad to hear that Lord Charlemont was inclined to accede
“ to any part, or even to the idea of such a plan as you have communicated
“ to

“ to me ; I should think it a material step to that situation, in which it is the
 “ clear interest of both kingdoms to be placed, being convinced, that what is
 “ most like union, is the most probable bond of connexion to restore and per-
 “ petuate the harmony and prosperity of the two countries.” The Marquis
 of Rockingham wrote about the same time to the same effect. His letter is
 dated the 25th of May : “ The essential points on the part of Ireland now ac-
 “ ceded to, will, I trust, establish a perfect cordiality between the two coun-
 “ tries ; and as there cannot now exist any ground of contest or jealousy be-
 “ tween them on matters of right, the only object left for both will be, how
 “ finally to arrange, settle, and adjust all matters, whereby the union of power,
 “ strength, and mutual and reciprocal advantage will be best permanently
 “ fixed. I observe, in Lord Shelburne’s letter to your Grace of the 18th of
 “ May, he states more reluctance to the idea of commissioners than I should
 “ judge to be the general opinion of his majesty’s servants ; the measure may
 “ be doubtful ; but if approved by the leading gentlemen of Ireland, might
 “ be productive of much good.”

On the 27th of May, 1782, the parliament of Ireland met according to ad-
 journment, when his Grace the Duke of Portland made the following speech
 from the throne :*

“ MY LORDS AND GENTLEMEN,

“ IT gives me the utmost satisfaction that, the first time I
 “ have occasion to address you, I find myself enabled, by the magnanimity
 “ of the king, and the wisdom of the parliament of Great Britain, to assure
 “ you, that immediate attention has been paid to your representations ; and
 “ that the British legislature have concurred in a resolution to remove the
 “ causes of your discontents and jealousies, and are united in a desire to gra-
 “ tify every wish expressed in your late addresses to the throne.

“ If any thing could add to the pleasure I feel in giving you these assur-
 “ ances, it is, that I can accompany them with my congratulations on the
 “ important and decisive victory gained by the fleets of his majesty, over those
 “ of our common enemy in the West-Indies, and on the signal advantage
 “ obtained by his majesty’s arms in the island of Ceylon, and on the coast of
 “ Coromandel.

“ By the papers, which in obedience to his majesty’s commands, I have di-
 “ rected to be laid before you, you will receive the most convincing testimony

* Parl. Debates, p. 355.

“ of the cordial reception, which your representations have met with from the
 “ legislature of Great Britain ; but his majesty, whose first and most earnest
 “ wish, is to exercise his royal prerogative in such a manner, as may be most
 “ conducive to the welfare of all his faithful subjects, has further given me in
 “ command, to assure you of his gracious disposition to give his royal assent
 “ to acts to prevent the suppression of bills in the privy council of this king-
 “ dom, and the alteration of them any where; and to limit the duration of
 “ the act for the better regulation and accommodation of his majesty’s forces
 “ in this kingdom to the term of two years.

“ These benevolent intentions of his majesty, and the willingness of his par-
 “ liament of Great Britain to second his gracious purposes, are unaccompa-
 “ nied by any stipulation or condition whatever. The good faith, the gene-
 “ rosity, the honor of this nation, afford them the surest pledge of a corre-
 “ sponding disposition on your part to promote and perpetuate the harmony,
 “ the stability, and the glory of the empire.

“ On my own part I entertain not the least doubt, but that the same spirit,
 “ which urged you to share the freedom of Great Britain, will confirm you in
 “ your determination to share her fate also, standing and falling with the Bri-
 “ tish nation.”

After the speech was read, Mr. Grattan called the attention of the house to
 a subject of the highest importance, and then spoke as follows :—“ I should
 “ desert every principle, upon which I moved the former address, (requiring
 “ a restoration of the rights of Ireland,) did I not bear testimony to the can-
 “ did and unqualified manner, in which that address has been answered by
 “ the lord lieutenant’s speech of this day. I understand that Great Britain
 “ gives up *in toto* every claim to authority over Ireland. I have not the least
 “ idea, that in repealing the 6th of George I. Great Britain should be bounden
 “ to make any declaration, that she had formerly usurped a power. No,
 “ this would be a foolish caution ; a dishonorable condition. The nation that
 “ insists upon the humiliation of another, is a foolish nation. Ireland is not a
 “ foolish nation. Another part of great magnanimity in the conduct of Bri-
 “ tain is, that every thing is given up unconditionally. This must for ever
 “ remove suspicion. On former occasions, when little acts of relief were done
 “ for Ireland, it was premised, that it was expedient to do them ; no such

* 1 Parl. Debates, p. 855.

“ word is now made use of. Never did a British minister support such ho-
 “ norable claims on such constitutional arguments. With respect to the writ
 “ of error, though not mentioned in our address, he took it up in the most
 “ effectual way; and indeed the whole tenor of his conduct towards us has
 “ been most generous and sincere; we had one advantage, he entertained an
 “ opinion, that Ireland was not insatiable, though it had been asserted, that
 “ Ireland was insatiable. But we are bound to prove the falsehood of that
 “ assertion; for as the nation was pledged to itself to obtain a restoration of
 “ her rights; so now that her rights are restored liberally and uncondition-
 “ ally, she is pledged to Great Britain, who, by acceding to our claims, has
 “ put an end to all future questions. We have now recovered a constitution,
 “ and our business is not to advance, but to maintain it. Ireland will mani-
 “ fest as much magnanimity in the moderation, by which she maintains her
 “ constitution, as by the exertions, through which it has been recovered. The
 “ unanimity, with which the British House of Commons acceded to our
 “ claims, must for ever do them honor; and the single negative in the lords,
 “ whilst it in no wise diminishes their praise, has its use; it serves to discover,
 “ and for ever to exclude from trust or confidence in either nation, the man,
 “ who could not only oppose the interest and happiness of both, but also the
 “ ardent wishes and desires of his sovereign to make his people happy. We
 “ ought not to forget the able support given by those persons, who com-
 “ posed the late administration of Ireland; it must be highly agreeable to those,
 “ who compose the present.

“ The things so graciously offered by our sovereign, are the modification of
 “ Poynings’ law; and not only the abridgment of the mutiny bill, in point of
 “ duration, but the forming it on the model of the English mutiny bill, and
 “ prefacing it with a declaration of rights.

“ As Great Britain and her ministers have unconditionally agreed to the de-
 “ mands of the Irish, I think the spirit of the nation is called upon to make
 “ an unconditional grant to England. The sea is the element, to which na-
 “ ture points as the scene of British glory; it is there we can most effectually
 “ assist her. Twenty thousand seamen would be a noble support; and we,
 “ who have been squandering the public money, in all the waste of blind ex-
 “ travagance, cannot surely now deem 100,000*l.* too large a sum, when ap-
 “ plied to the common defence of the empire: the sum is trifling, but the
 “ assistance of 20,000 Irishmen would be great; and gentlemen will now,
 “ when

“ when they retire to their different counties, have a full opportunity in assist-
 “ ing to raise those men, of manifesting their zeal for the common cause of
 “ Great Britain and Ireland. There are also other means of support in our
 “ power to give to Britain, though they cannot immediately be entered upon.
 “ This country is most happily situated for the construction of docks, and the
 “ rendezvous of shipping; whatever expence might be incurred by such ne-
 “ cessary works, would be repaid by the expenditure of the money amongst
 “ ourselves, and might be supported by a prudent and economical management
 “ of the public revenues, in the savings of the army, and in every different
 “ class of extraordinaries. An expence of 17*l.* per cent. in the collection of
 “ the revenue, cannot be justified; the commissioners will now see, that mo-
 “ ney is to be paid for labour, not for prostitution; therefore let us now
 “ enter, heart and hand, into the great work of reformation, by giving our
 “ support to that ministry, which has rescued this country from oppression,
 “ and will rescue it from corruption. On this principle I shall move you an
 “ address, devoid of all that fulsome panegyric so commonly offered to his
 “ majesty; for I think that truth will be the highest compliment to him.”

Mr. Grattan then moved,

“ To assure his majesty of our unfeigned affection to his royal person and
 “ government; that we feel most sensibly the attention, which our representa-
 “ tions have received from the magnanimity of his majesty, and the wisdom
 “ of the parliament of Great Britain.

“ To assure his majesty, that we conceive the resolution for an unqualified,
 “ unconditional repeal of the 6th of George I. to be a measure of consummate
 “ wisdom and justice, suitable to the dignity and eminence of both nations,
 “ exalting the character of both, and furnishing a perpetual pledge of mutual
 “ amity.

“ To assure his majesty, that we are sensibly affected by his virtuous deter-
 “ mination to accede to the wishes of his faithful people, and to exercise his
 “ royal prerogative in a manner most conducive to their welfare; and ac-
 “ cordingly we shall immediately prepare bills to carry into execution the
 “ desires of his majesty's people, and his own most benevolent purposes.

“ That gratified in those particulars, we do assure his majesty, that no con-
 “ stitutional question between the two nations will any longer exist, which can
 “ interrupt their harmony; and that Great Britain, as she has approved of

* H

“ our

“ our firmness, so may she rely on our affection. That we remember, and
 “ do repeat our determination, to stand and fall with the British nation.

“ That we perceive with pleasure the magnanimity of his majesty, to dis-
 “ dain the little policy of making a bargain with his people; and feeling
 “ with pride the confidence he reposes in the good faith, generosity, and
 “ honour of the Irish nation, we answer with all humility, that his majesty
 “ entertains a just sense of our character. Common interest, perpetual con-
 “ nexion, the recent conduct of Great Britain, a native affection to the Bri-
 “ tish name and nation, together with the constitution, which we have re-
 “ covered, and the high reputation, which we possess, must ever decide the
 “ wishes as well as the interest of Ireland, to perpetuate the harmony, stabi-
 “ lity, and glory of the empire. Accordingly, we assure his majesty, that we
 “ learn with singular satisfaction the account of his brilliant successes in the
 “ East and West-Indies, gratified at one and the same instant in our dearest
 “ wishes, the freedom of Ireland, and glory of Great Britain.

“ That we cannot omit expressing our gratitude to his majesty, for ap-
 “ pointing the Duke of Portland to the government of this kingdom.

“ That we are convinced his representations were faithful, vigorous, and
 “ beneficial. We are acquainted with his character; and relying on his
 “ upright and frugal administration, make no doubt but a free people, and
 “ uncorrupt parliament, will unite to give a constitutional chief governor de-
 “ cided support.

“ That we have presumed to lay before his majesty our genuine sentiments
 “ on the change of our situation. His majesty will receive them as the vo-
 “ luntary unstipulated tribute of a free and grateful people.”

Mr. Brownlow expressed his extraordinary satisfaction in seconding the motion. Both nations were now one people united by every tie, enjoying in common the same liberty, the same constitution, and the same sovereign. He had heard several addresses moved for in that house, and he might safely add, not one of which conveyed truth: but that address spoke the sincere language of the nation, where Protestant, Roman Catholic, all religions pressed forward with gratitude in the present moment to hail the nation's acquisition of a constitution. Almost the whole house rose successively to make public profession of their joy and gratitude on the happy event. Two gentlemen only differed upon the propriety of the following words in the address, viz. *That there will no longer exist any constitutional question between the two nations,*

nations, that can disturb their mutual tranquillity. The house divided upon the words objected to ; when there were for the address as it stood 211, and the noes were the two tellers, the Recorder and Mr. Walsh.*

No

* Although these two gentlemen only out of the whole House of Commons in Ireland were of opinion, that any constitutional question between the two nations was still outstanding ; yet Lord Clare, in order to prove that the transactions of 1782 between Great Britain and Ireland were not considered as final, tells us, that on the 6th of June the Duke of Portland thus wrote to Lord Shelburne : “ I have the best reason to hope that I shall soon be enabled to transmit to you the sketch
“ or outlines of an act of parliament to be adopted by the legislatures of the respective kingdoms,
“ by which the superintending power and supremacy of Great Britain, in all matters of state and
“ general commerce, will be virtually and effectually acknowledged ; that a share of the expence
“ in carrying on a defensive or offensive war, either in support of our own dominions, or those of
“ our allies, shall be borne by Ireland in proportion to the actual state of her abilities, and that she
“ will adopt every such regulation as may be judged necessary by Great Britain for the better or-
“ dering and securing her trade and commerce with foreign nations, or her own colonies and de-
“ pendencies, consideration being duly had to the circumstances of Ireland. I am flattered with the
“ most positive assurances from ——— and ——— of their support in carrying such a bill through
“ both houses of parliament, and I think it most advisable to bring it to perfection at the present
“ moment.” And he happened to know from an official quarter, that the sketch of such an act of parliament was then drawn. He knew the gentleman who framed it, and he knew from the same quarter, that blank and blank and blank and blank did unequivocally signify their approbation of it. This communication was received with the satisfaction, which it demanded by the British cabinet. On the 9th of June Lord Shelburne wrote to the Duke of Portland in answer to his last dispatch : “ The contents of your grace’s letter of the 6th inst. are too important to hesitate about
“ detaining the messenger, whilst I assure your grace of the satisfaction, which I know your letter
“ will give the king. I have lived in the most anxious expectation of some such measure offering
“ itself : nothing prevented my pressing it in this dispatch, except having repeatedly stated the just
“ expectations of this country, I was apprehensive of giving that the air of demand, which would
“ be better left to a voluntary spirit of justice and foresight. No matter who has the merit, let the
“ two kingdoms be one, which can only be by Ireland now acknowledging the superintending
“ power and supremacy to be where nature has placed it, in precise and unambiguous terms. I
“ am sure I need not inculcate to your grace the importance of words in an act, which must decide
“ on the happiness of ages, particularly in what regards contribution and trade, subjects most
“ likely to come into frequent question.”

This bright prospect of peace and happiness was however very soon clouded ; for on the 22d of June the Duke of Portland wrote to Lord Shelburne : “ The disappointment and mortification I
“ suffer by the unexpected change in those dispositions, which had authorised me to entertain the
“ hopes I had perhaps too sanguinely expressed in my letter of the 6th inst. must not prevent me
“ from acquainting you, that for the present these expectations must be given up : I trust and am
“ inclined to flatter myself they are only suspended, and that they will be revived when the temper

No sooner had this motion been disposed of, than Mr. Bagenal,* a man of sterling sense and independence both of mind and fortune, a steady and true

" of this country has recovered its tone, and acquired that degree of composure, which must give it
 " the firmness necessary for effectuating so wise and salutary a measure. By the accounts of the
 " events of these three or four days, and by the timidity and jealousy of the first people in this coun-
 " try, it is clear that any injudicious or offensive measure may be prevented, but that any attempt
 " to conciliate the minds of this nation to any such measure as I intimated the hope of, would at
 " this moment be delusive and impossible."

* His speech was as follows: 1 Parl. Deb. p. 371. " I beg leave to congratulate this country.
 " We have at last got the freedom, which all the world should have: it is our birth-right; but in our
 " meridian there is no life without it; our existence now begins, and will depend upon what use
 " we make of the population and wealth that will result from the advantages of a free constitution.

" I will beg leave to congratulate England: instead of a nominal, or a repugnant dependant, she
 " has now a powerful faithful ally, one that she can never exist without.

" I will beg leave to congratulate his majesty: he has conciliated three millions of such subjects
 " as must make him happy; men willing to be loyal, as they are determined to be free.

" I will congratulate his ministers also: they may now depend upon such support as they ought
 " always to look for. And to whom does the empire owe all this? To a man principally, who is
 " resolved to take no reward from government. I will not pretend to say he was wrong, though I
 " know that such merit ought to be distinguished in every manner possible. Shall every body have
 " what they ought to have, except him alone, to whom every individual in this empire is so much
 " indebted, and by whose example every individual in the universe may be so much benefited?
 " He has saved this empire from an iron age, and has restored an unequivocal golden one. By
 " our affectionate alliance with England, we shall not only be benefited ourselves, but shall see a be-
 " loved sister revive, without any painful repining, or apprehensions for her prosperity.

" In these happy circumstances, in which he has placed us (though I honor every private compli-
 " ment as I may call those that I see paid to our illustrious benefactor) I believe there is no man
 " that would not blush to think that a Grattan's child might point at a statue or monument, that
 " has often been dedicated to slender or problematical merit, and say, that was my father's, your
 " benefactor's only reward. I have therefore a motion to make you, which might appear like pre-
 " sumption in me, as it is of so much importance to the glory and interests of this kingdom, if I
 " could suppose that any member of the British empire could give it a negative: the purport of it
 " is, that we should take into consideration what sum we should grant for the purpose of pur-
 " chasing a seat, and building a suitable mansion for our great benefactor, in testimony of our gra-
 " titude for the unequalled services that he has done for this kingdom. Were we to omit this, or
 " should we do it in a manner unsuitable to the situation he has raised us to, we should be very un-
 " grateful indeed, and never might we expect, that a blessing could attend it.

" It must be needless to say any thing in favor of such a measure, or I would not dare to be
 " the mover of it. I will only add, that as he has left nothing undone that is material to the
 " prosperity of this kingdom, it can no more lay a precedent for hurtful grants of the same nature
 " here, than Blenheim did in Great Britain.

" Far

true patriot, and whose genius like his country owed more to nature than to art or cultivation, rose, and after congratulating his country, Great Britain, his majesty, and his ministers, for having obtained the greatest of all political blessings, he called upon the house to confer some signal mark of a great and grateful nation upon their illustrious benefactor Mr. Grattan, whose efforts in procuring them these blessings had been timed and conducted with so much wisdom; and considering this great and good man as the father of his regenerated country, he further called upon them to look upon him as the special instrument, which benign Providence had used to convert the oppression and bondage of their country into freedom and independence. He therefore gave notice, that on the morrow, after the grant to his majesty should have been settled, and a proper thanksgiving offered to Heaven for the recovery of their rights, he would move, that the house should resolve itself into a committee to take into consideration what sum they should grant for the purchasing an estate, and building a suitable mansion for their illustrious benefactor Henry Grattan, Esq. and his heirs for ever, in testimony of their gratitude for the unequalled service he had

“ Far be it from me to compare even the services of Marlborough to those, for which we stand indebted; we have no deductions to make from our gratitude: without protracting, or any public expence, his efforts have been timed and conducted with so much wisdom, and the appearance of such a being on earth was so essential to the establishment of liberty at this most critical juncture, that without superstition, men may well record him amongst the most propitious interpositions of Heaven.

“ He has crowned his work, and under his auspices the throne of freedom is fixed upon so certain a basis, and will probably be always so well supported by the due influence the public are likely to acquire under his system, that with the blessing of God, there is no danger of parliament itself ever being able to shake it; nor shall parliament, I trust, ever again be profanely styled omnipotent. I am conscious I must have anticipated men infinitely better qualified to bring such a measure forward; one excuse I have; for it is not the impatient wish, that every body must have to see such a character exalted; not any little vanity to distinguish myself; but as I never had any private acquaintance, nor private conversation with our great benefactor, I thought it might come as well from one from whom he could not have any claim, as from the most distinguished personage, that he is intimate with.

“ Virtue, to be sure, is its own reward; and we know, that our generous benefactor is in his own sphere of happiness, content. But shall we be content without doing our duty? shall we be ungrateful? God forbid!

“ Gratitude seems to be a virtue peculiarly adapted to nations that have received such benefits as ours. It is often neglected by individuals, because it is often out of their power to be as grateful as they wish; we, I trust, shall never have such another opportunity of exercising ours. God forbid we should let it slip.”

done

done for the kingdom of Ireland: which was afterwards fixed at the sum of 50,000/.* in the committee, which resolution the house unanimously agreed to, and resolved, that an address should be presented to the lord lieutenant, that he would be pleased to lay before his majesty, the humble desire of that house, that he would direct that sum to be laid out in the purchase of lands in the kingdom of Ireland, to be settled on Henry Grattan, Esq. and his heirs, in testimony of the gratitude of that nation for his eminent and unequalled services to that kingdom, and that the house would make good the same.

Now for the first time might it be truly said did the Castle speak the real, genuine, undisguised language of the Irish people: such was happily to be read in the proclamation issued by the lord lieutenant in consequence of the address of the commons on the 29th of May, 1782, that he would be pleased to order a proclamation to be issued for appointing a day of general thanksgiving throughout this nation, to return thanks to Almighty God, for the many blessings bestowed on the kingdoms of Great Britain and Ireland, particularly for that union, harmony, and cordial affection, which had been happily brought about between these two kingdoms, whose interests were inseparably the same; by the wisdom and justice of his majesty and his councils in forming and re-establishing their mutual rights, by which the strength, honor, happiness, and glory of the whole empire were greatly augmented; and for the providential and great success of his majesty's arms against their natural enemies, which they trusted would tend to bring about a happy, stable, and lasting general peace to these kingdoms.

Thus publicly and universally were expressed the joy and congratulation of the nation: and for the moment, happiness pervaded every corner of the kingdom. But it appears, as if it had been written in the book of fate, that the felicity of Ireland, whilst independent and separate from Great Britain, should be short-lived, precarious, and unstable. Ere the rejoicings of the people were concluded, the dæmon of discord was busy in sowing discontent, jealousy, and envy both within and without the parliament. The two great rival orators, Messrs. Grattan and Flood, who appeared equally bent and determined upon acquiring and securing the civil freedom of their country, had different pleas of merit for their conduct: Mr. Flood had for seven years enjoyed one of the most lucrative offices under government, which he sacrificed

* Viz. on 27th May, 1782. 9 Journ. Com. p. 357.

to his patriotifm in the prefent hour: Mr. Grattan never had been in place, and now that he might have come in, through his patriotifm he declined it. But the honorable tribute of gratitude fhewn to Mr. Grattan by the vote and addrefs of the commons appears to have been productive of jealousy and repentment in the breaft of Mr. Flood and fome few of his moft intimate friends and admirers, which in fome degree tarnifhed the luftre and defiled the purity of his moft patriotic efforts.

The grounds of this unfortunate jealousy fully appeared within three days after Mr. Bagenal's motion in favor of Mr. Grattan, when Mr. *Montgomery (of Donegal) called the attention of the houfe to an honorable gentleman, the beft, the moft able, the moft indefatigable, the moft fincere, that had ever facrificed private intereft to the advantage of his country. After fuch a defcription, he faid, he need not name Mr. Flood, who had relinquifhed the moft lucrative office of the ftate, rather than defer the conftitution of Ireland: and as he knew the prefent adminiftration intended to raife its glory by acting on the moft liberal principles of freedom, he gave notice, that he did intend to move for an addrefs to his majefty, that he would be graciously pleafed to reftore the Right Hon. Henry Flood to the office he lately held, and in this he hoped for the concurrence of the minifter. He would not, he faid, move for any pecuniary reward, as he knew the Right Hon. gentleman in queftion was above receiving any alms from his country. He was called upon to name a day.

Colonel Fitzpatrick obferved, that the place of Mr. Flood was no longer vacant: when Mr. Montgomery replied, that it was filled by Sir George Yonge, whofe ill offices to Ireland might poffibly at fome time be properly rewarded. Mr. Walfh ftrongly fupported the motion in favor of Mr. Flood; and they were both illiberally abufive of Sir George Yonge, whofe character was warmly defended by Sir Henry Cavendifh. Colonel Fitzpatrick maintained the impropriety of breaking in upon the difcretionary exercife of the prerogative; and fuggefted, that if the gentleman meant to perfift in his intention, the regular method would be to move firft for an addrefs to remove Sir George Yonge from his employment.†

When

* 1 Parl. Deb. p. 381. on 30th May, 1782.

† To this Mr. Montgomery obferved, that if the crown had been mifinformed, and led to beftow an honorable employment upon an unworthy object, it would be right to undeceive it, and addrefs the

When the house was in a committee on the bill for the modification of Poynings' law on the 6th of June, Mr. Yelverton remarked, that as the bill then stood, the privy council were obliged to certify all bills, which originated in parliament, and no other, without any alteration; which Mr. Flood contended was not perfectly adequate to the idea entertained by the nation, or what seemed necessary to do justice to the constitution. They ought either to declare against all usurpation, or by an effectual repeal to annihilate those pretensions in future. It was the general opinion, that this act took away the power of originating bills, and gave it to the privy council. That should certainly be repealed, for he did not see, by any effect in the present bill, but the privy council might recall this power under a corrupt ministry, and it was not to be supposed, that the breed of the Straffords in political principles, was yet extinct; and an arbitrary government might at some future period take advantage of the negligence of the present hour. He understood, and the nation understood, that all they aimed at was a similar constitution with England, but the bill by implication cut them off from that benefit. He understood it to be the constitution of the land, that the whole business of legislation was to be done in public; but there was no provision made by this bill, which could prevent the smothering of bills, or explain the reasons of a silent negative.

Mr. Yelverton said, that the Right Hon. gentleman most certainly agreed in principle with him, and they differed only in mode. Their sentiments were the same. He confessed the bill did not entirely restore what the constitution of England enjoyed, but circumstanced as Ireland was, it was the best calculated that could be devised. The features of the two kingdoms were not exactly alike; some little difference might be discovered in the traits, but they were actually and in fact the same. To restore the constitution of Ireland as it once stood, would in a great measure be restoring tumult and disorder, and going back to the necessity of laws, when a lord lieutenant had the same power as the king, made peace and war, and exercised all the privileges of sovereignty. History furnished instances, when in the disputes of

the king to bestow it on one, that was deserving of it. And on the 1st of June he declared that Mr. Flood knew nothing of his application, or he would not have permitted it to have been made: but although he should defer his motion, he still persisted, that it was most disgraceful in the late administration to displace, and in the present to permit a gentleman to suffer the loss of 3500*l.* per ann. for his attachment to the constitution and interests of his country.

the

the houses of York and Lancaster, two lord-lieutenants, and two parliaments, were in this kingdom, one arraigning and condemning the acts of the other. They should consider in how liberal and unqualified a manner they had received that constitution.

The king sent a message to his parliament in Ireland, to know what was the cause and nature of their discontents: they pointed out, in answer, three things: first, they demanded a renunciation of binding that kingdom by English laws, (and probably the work was effected, while he was yet speaking;) secondly, the modification of Poynings' law, by cutting off the power of the privy councils of either kingdoms to alter their heads of bills; and thirdly, an abridgment of the duration of the mutiny bill.

In consequence thereof both houses of the British parliament passed a resolution consenting to the repeal of every law, which comprehended them as hitherto bounden. And the question which then remained, was, whether the bill then under consideration, were comprehensive enough to meet the general wish. They had overturned the power of the privy council; and it only remained to know whether bills should come back, to notify to parliament the royal dissent. The manner of giving the royal dissent in England, was a gentle denial. Bills were never expressly negatived; but the king said, he had the bill under consideration. He thought the sending such bills over, was a sufficient notification of dissent. It was certainly fairer to infer, that a bill was under consideration, than to receive an express negative.

Some few members supported Mr. Flood; but the decided majority of the house appearing to be for Mr. Yelverton's bill as it stood, the question was put and carried without a division.

On the next day when the engrossed bill for the repeal of part of Poynings' law was read, Mr. Walsh returned to the objections made on the day before, which brought on a debate, in which Mr. Flood spoke with unusual eloquence and energy, and moved* an amendment to the bill, which, as the Prime Ser-

jeant

* The proposed amendment was, to insert after the word *Whereas*, the following words:—
 “doubts have arisen on the construction of the law commonly called Poynings, and of the third,
 “and fourth of Philip and Mary, explanatory thereof: Be it enacted by the king's most excellent
 “majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in
 “this present parliament assembled, and by the authority of the same, that the said law of Poy-
 “nings, and the said third and fourth of Philip and Mary, be and stand repealed, save only as

jeant (Mr. H. Burgh) observed, was in fact a new bill, in lieu of that, which had received the sanction of that house on the preceding day; and it would be against all the rules of parliament to receive it. The chief contest of this debate lay between Mr. Flood and the Prime Serjeant.* Mr. Yelverton declared,

“ follows : that is to say, Be it enacted, that no parliament shall be holden in this kingdom, until
 “ a licence for that purpose be had and obtained from his majesty, his heirs, and successors, under
 “ the great seal of Great Britain: And that all bills, considerations, causes, ordinances, tenors,
 “ and provisions, of either, or both houses of parliament, shall be of right certified to his majesty,
 “ his heirs, and successors, unaltered, under the great seal of Ireland, by the lord-lieutenant, or
 “ other chief governor or governors, and council of this kingdom, for the time being; and that
 “ such bills, and no others, being returned unaltered, under the great seal of Great Britain, shall
 “ be capable of receiving the royal assent or dissent in parliament, according to his majesty's com-
 “ mission, either for giving his assent or dissent to the same respectively.”

* On this occasion Mr. Grattan said, he thought the bill itself an answer to all the arguments brought against it: he should, however, rather remain a silent admirer of the great talents of those two gentlemen, than take a decided part in it. In the course of this debate, Mr. Ogle threw out an opinion, that a promptness to appeal to the majesty of the people, upon every trivial occasion, weakened the efficacy of such appeal at times when it might be of real advantage: to which Mr. Flood thus replied:—

“ I take notice of what my honorable friend has said, only that he may have an opportunity of
 “ doing honor to the benignity of his own feelings. But ministers, popular ministers, will always
 “ be ready to appeal to the people, when they are conscious that their measures are right. By an
 “ appeal to the people, the present ministry were called into office. And when men of condition,
 “ to whom their country is dear for every reason, appeal to the people, they cannot be supposed to
 “ appeal to turbulence or commotion, but to the sober judgment of the public. What was the fate
 “ of all our constitutional claims, 'till the voice of the people thundered for redress? Majorities—
 “ rank majorities—'till a voice from America exhorted you to claim your rights, and the desires of
 “ the people prevailed. If ever there be a moment when the opinion of the people ought to have
 “ a tenfold weight; it is now when they have lined the cause of argument, and encouraged you to
 “ speak a language, which, I will not say, you feared to speak, but which certainly you were unwill-
 “ ling to speak before. The bill was proposed twenty years ago, when parliament was weak and
 “ impotent: it was then rejected with disdain. And will you now, when you have your consti-
 “ tution in your hands, when you have your constitution in your arms, will you now accept of such
 “ a humiliating condition, and disgrace the cause of your country by such a pitiful expedient?”

And after he had made his motion, concluded his speech in the following manner:—“ And
 “ now, Mr. Speaker, if I have a feeling in the utmost pulse of my heart, it is that which tells me,
 “ that this is a great and awful day; it is that which tells me, that if, after twenty years service,
 “ I should pass this question by neglectingly, I should be a base betrayer of my country; it is that
 “ which tells me, that the whole earth does not contain a bribe sufficient to make me trifle with the
 “ liberties of this land. I do, therefore, wish to subscribe my name to what I now propose, to
 “ have

clared, that when he introduced the bill, it was to take away every grievance which had been complained of. In his own apprehension that end was answered. He had no objection, however, to terms more amplified. He then moved, "that to prevent delays in the summoning of parliaments, be it further enacted, that no bill shall be certified into Great Britain as a clause or consideration for holding a parliament in this kingdom, but that parliaments may be holden in this kingdom, although no such bill shall have been certified previous to the meeting thereof." The question being put that the bill should pass with Mr. Yelverton's amendment, was agreed to without a division.

The grand and critical opposition, which Mr. Flood and his few adherents in the House of Commons, made to the proceedings then going forward to accomplish the demands of the Irish parliament, was grounded upon a most ungracious suggestion of the insincerity and duplicity of Great Britain, in yielding under her embarrassments to the repeal of the declaratory law of George I. that by seeming to yield unconditionally to Ireland, she seized on the generous credulity of her nature, and took full advantage of a change in her own administration: that Great Britain retained the full principle of her right to legislate for every part of the empire: the mover for that repeal in the British House of Commons, held it externally, and the seconder of the motion held it both externally and internally. That a repeal, he insisted, without an express renunciation of the right, would leave Ireland precisely where she was. That as the declaratory act made no alteration in the pre-existing law, so the repeal of that declaratory act would also make no alteration in the pre-existing law: and that without some positive renunciation of the right to legislate internally and externally on the part of Great Britain, their work would be but half done, and Ireland might again be enslaved by the first corrupt minister, who should choose to avail himself of the unsuspecting and too liberal conduct of Ireland. Mr. Flood's doctrines gained more proselytes out of doors, than in the parliament. Mr. Grattan, and by far the greater part of the house confided implicitly in the good faith of Great Britain, and contended, that the simple repeal went the whole length of their own de-

"have them handed down together to posterity, that posterity may know there was at least one man, who disapproved of the temporising bill now before the house; a bill that future parliaments, if they have power, will reform; if they have not, will with tears deplore."

mands, and gave full redress to the grievance they had complained of; and they opposed any further attempt at procuring concessions from Great Britain: conceiving what had already been done and was about to be done to be completely satisfactory in establishing the freedom and independence of Ireland. It must however be acknowledged, that the arguments of Mr. Flood were very powerful, and had they been urged in their proper season would have carried much more weight in the house. As it was, both Mr. Yelverton and Mr. Grattan declared in the house, that if they could be convinced, that the simple repeal was insufficient, they would most cordially join Mr. Flood in his motion. Never was contest more fiercely fought than this between the two rival patriots Messrs. *Flood* and *Grattan*. It ended on the division of the house upon Mr. Flood's motion on the 19th of July 1782,* for leave to bring in the heads of a bill for declaring the sole and exclusive right of the Irish parliament to make laws in all cases whatsoever internal and external for the kingdom of Ireland.

The death of the Marquis of Rockingham had occasioned dissensions in the British cabinet, which obliged Mr. Fox, Lord John Cavendish, Mr. Burke, and other of his friends to resign. He could not submit to remain in a cabinet, in which he, and his friends, who had come in and acted uniformly upon an open principle, were outvoted; he had declared before the death of the Marquis, that if certain measures were carried in the cabinet, he should resign; and as they had been carried since his death, he did resign, disdaining to be responsible for measures he disapproved of, or to lend his name to a system, in which he had no share.† In the new arrangement

* 9 Journ. Com. p. 378. The journals merely say, It passed in the negative. Mr. Dobbs says in his history, p. 121, "that the minority on that day consisted only of six.

† The new arrangement was as follows:

The Earl of Shelburne	— To be first lord of the Treasury, <i>vice</i> the Marquis of Rockingham.
Lord Grantham	} Principal Secretaries of State, <i>vice</i> the Earl of Shelburne and Mr. Fox.
Thomas Townshend, Esq.	
Hon. William Pitt	— Chancellor of the Exchequer, <i>vice</i> Lord John Cavendish.
R. Jackson, Esq.	} Lords of the treasury, <i>vice</i> Lord Althorpe and Frederick Montagu, Esq.
E. James Elliott, Esq.	
Hon. J. Jeffries Pratt	} Lords of the Admiralty, <i>vice</i> Lord Duncannon and Hon. J. Townshend.
John Aubrey, Esq.	
Colonel Barré	— Paymaster of the forces, <i>vice</i> Edmund Burke, Esq.

ment of Lord Shelburne's administration, which took place on the 13th of July 1782, Lord Temple (now the Marquis of Buckingham) was fixed upon to

Henry Dundas, Esq. lord } To be treasurer of the navy, *vice* Colonel Barré
advocate

Sir George Yonge, Bart. — Secretary at war, *vice* T. Townshend, Esq.

Earl Temple — Lord Lieutenant of Ireland, *vice* the Duke of Portland

Hon. William Wyndham } Secretary to ditto, *vice* Colonel Fitzpatrick
Grenville

The following account of this change of administration, from the Annual Register for the year, is attributed to a principal member of the late administration (Mr. Burke). The short space of time that intervened between the death of the Marquis of Rockingham and the prorogation of parliament afforded no opportunity of discovering in what manner the House of Commons stood affected towards the changes, that had taken place in the administration of public affairs, in consequence of the former event. The weight of the new minister in that assembly, either from political connection, from private friendships, or public favor, was known to be very inconsiderable; and the support which he might otherwise have derived from the power of the crown was likely to be much reduced by the operation of the bill of reform, and by the steady attachment of most of those members, who either owed their seats to the influence of government, or were led by a sort of principle to give a general support to administration, under the auspices of a noble lord, one of his predecessors in office. The recess of parliament was therefore considered as a circumstance highly favorable to the minister, and was doubtless employed in endeavoring to form such alliances amongst the parties out of power as might ensure some degree of strength and permanence to his administration.

A reunion of the Whigs was the favorite expectation of the public, and anxiously looked for by those, who equally dreaded the revival of the old system, and the mischiefs of a weak and unsettled government. It does not however appear, that any advances were made towards effecting such an accommodation; to which there appear indeed to have been insuperable difficulties, from the industry, with which the friends of each party laboured to throw the blame both of the schism and failure on the other.

On the part of those, who had retired from the service of government, it was urged, that as the appointment of the noble earl to the highest office in administration was one of the principal causes of the division that ensued, so it continued to be the chief obstacle to a reunion. It was indeed absurd to expect, that his complaisance to his enemies should carry him so far as to enter into a treaty, of which he was himself to be the first sacrifice; and it was not more reasonable, they said to suppose, that those who continued to act with him, how much soever they might disapprove of his principles, or censure the measures he was carrying on, (a conduct which some of them did not scruple to pursue) would be willing to descend from situations, in which, by the removal of their former friends, they stood as principals, in order to act subordinate parts again in conjunction with them.

These insinuations were combated, on the other side, by studiously representing the cause of dissension to have been a mere personal contest for power; and by charging their opponents with holding

to succeed the Duke of Portland in the viceregency of Ireland. Every possible dispatch was therefore given to the parliamentary business in Ire-

holding opinions of a dangerous nature, trenching on the most undoubted prerogative of the crown, that of chusing its own ministers, and consequently having a direct tendency to subvert the constitution.

But whatever weight may be allowed to these charges or surmises, it was generally agreed, that, though the parties themselves had been ever so well disposed towards an accommodation, yet the countenance and approbation of the court would hardly have been lent to a measure so diametrically opposite in its principles to that favorite system of politics, which had the disunion of all party connections for its basis. In opposition to this system, after a long and an arduous struggle, by no mean exertion of abilities, and by the concurrence of many important events, the late administration had arrived at a kind of adverse possession of power, which being submitted to from necessity, it could not be expected would be suffered to remain, whenever the means of destroying it could be found. These, by an unfortunate event, soon after offered themselves. The appointment of the Earl of Shelburne to succeed the Marquis of Rockingham, it was easily foreseen, would disgust those individuals of the party, whose principles were the most inflexible and obnoxious; and the probability of gaining over many others, who might wish to make themselves some amends for the long proscription they had undergone, by the advantages of a more accommodating line of conduct, was reckoned on with a confidence that proved not ill-founded. Add to this, that the firmness of the party had hitherto stood the trial of defeats and mortifications only; that power and emolument will sometimes be retained on terms and by means, through which they would not have been fought; and lastly, that many of the members, wearied and grown old in opposition would naturally feel disinclined, from the diminution both of their vigour and prospects, to embark in a fresh contest with the court.

The design appears to have been planned with great political sagacity, and the success went beyond even what the most sanguine hopes could have expected. Not only a change of ministers was effected, and a cabinet formed more agreeable to the views of the court; but several of those, whose former conduct had been marked by extraordinary violence were gained over; and these, not satisfied to embrace their new principles with all the zeal and eagerness of converts, seemed to regard with an unusual degree of malignity, that inflexibility of their old colleagues, which appeared no less than a tacit reproach to their own conduct. Thus a decisive blow was given to the very existence of the party, and which seemed even to preclude all future attempts to form a systematic opposition.

Such were the obstacles, which, from every quarter, appear to have rendered a reunion of the whigs under the auspices of the new minister, totally impracticable. A coalition with the noble lord, who had formerly been at the head of his majesty's government, seemed more feasible, and was certainly free from the most material objections that lay to the former measure. Overtures accordingly are said to have been made by the minister, and various terms offered him: but whether from a confidence in his own strength, and the hope of rising again, on the divisions of his adversaries, to the possession of undivided power; or from resentment of former indignities; or from some change in his political sentiments, and a conviction of the impossibility of serving the public with fidelity on the terms proposed, the business fell to the ground.

possible

land, in order that the Duke of Portland might close the session, and as far as conveniently could be, adjust all the arrangements, then pending between the two kingdoms, respecting the legislative independence and commercial freedom of that kingdom. Lord Shelburne had been fully as explicit, open and liberal in his speech to the lords, with reference to Ireland, as Mr. Fox, in his speech to the commons. It was therefore generally at first presumed, that the change in the British administration would cause no alteration in the system of concession to Ireland.

Amongst the several acts, which received the royal assent under the Duke of Portland's administration, was Mr. Eden's act for establishing the national bank. This met with some opposition, but the measure was carried, and the bank opened the year following. By this act (21 and 22 Geo. III. c. 16) the bank was established by the name of The governor and company of the bank of Ireland. The subscribers to it were to pay in 600,000*l.* either in cash or debentures, at 4 per cent. which were to be taken at par, and considered as money. This sum was to be the capital stock of the bank, and the debentures to that amount, when received, were to be cancelled by the vice treasurers. For these an annuity of 24,000*l.* was to be paid to the company, being equal to the interest payable upon these debentures; the stock was to be redeemable at any time, upon twelve months notice, after the 1st of January, 1794. Ireland obtained likewise an important acquisition by a bill, "for better securing the liberty of the subject," otherwise called the *Habeas Corpus* act, similar to that formerly passed in England.

The sacramental test, by which the dissenting Protestants were excluded from offices of trust under the crown was also repealed, and the nation was gratified by the repeal of the perpetual mutiny bill, and by that long desired act for making the commission of the judges of that kingdom, to continue *quamdiu se bene gesserint*. An act was also passed to render the manner of conforming from the Popish to the Protestant religion more easy and expeditious. Another for sparing to his majesty, to be drawn out of this kingdom whenever he should think fit, a force not exceeding 5000 men (part of the troops appointed to be kept therein for its defence.)

On the 27th of July, 1782, his excellency the lord lieutenant concluded the session with the following speech from the throne:

"My

"MY LORDS AND GENTLEMEN,

"THE great and constitutional advantages you have secured to your country, and the wise and magnanimous conduct of Great Britain, in contributing to the success of your steady and temperate exertions, on the close of a session, must ever reflect the highest honor on the national characters of both kingdoms.

"It must be a most pleasing consideration to you, to recollect, that in the advances you have made towards the settlement of your constitution no acts of violence or impatience have marked their progress. A religious adherence to the laws confined your endeavours within the strictest bounds of loyalty and good order; your claims were directed by the same spirit, that gave rise and stability to the liberty of Great Britain, and could not fail of success, as soon as the councils of that kingdom were influenced by the avowed friends of the constitution.

"Such a spirit of constitutional liberty communicating itself from one kingdom to another, must naturally produce that reciprocal confidence and mutual affection, of which we already begin to feel the most salutary effects. A grateful zeal and generous ardour have united this whole kingdom in the most cordial and vigorous exertions, which promise effectually to frustrate the designs of our common enemy, and to re-establish and secure the glory of the whole empire."

"GENTLEMEN OF THE HOUSE OF COMMONS,

"WHEN I consider the very active and liberal part you have taken in contributing to these great and glorious events, I must as distinctly express to you his majesty's sense of the last effusion of your generosity for the defence of the empire, as I must return you his most gracious thanks for the supplies, which you so cheerfully voted at the beginning of this session. His majesty's royal example not only secures to you a most just and economical application of the aids you have granted him, but affords you a most solemn pledge of attentive investigation into every means, which the circumstances of this country will afford to alleviate the burdens of his loyal and grateful people. To co-operate with you in carrying into effect this most benevolent disposition of his majesty, will afford me the highest gratification, and manifest to you the sentiments I shall ever entertain, in return for the confidence you have reposed in the sincerity of my professions for your welfare."

"MR

“ MY LORDS AND GENTLEMEN,

“ In contemplating the services, which your unremitting
 “ assiduity has rendered to the public, I must indulge myself in the satisfac-
 “ tion of specifying some very important acts, which will most materially
 “ strengthen the great constitutional reform you have completed, and which
 “ will for ever distinguish the period of this memorable session. You have
 “ provided for the impartial and unbiassed administration of justice, by the
 “ act for securing the independency of judges. You have adopted one of the
 “ most effectual securities of British freedom, by limiting the mutiny act in
 “ point of duration; you have secured that most invaluable of all human
 “ blessings, the personal liberty of the subject, by passing the Habeas Corpus
 “ Act; you have cherished and enlarged the wise principles of toleration, and
 “ made considerable advances in abolishing those distinctions, which have too
 “ long impeded the progress of industry, and divided the nation. The diligence
 “ and ardour, with which you have persevered in the accomplishment of these
 “ great objects, must ever bear the most honorable testimony of your zeal
 “ and industry in the service of your country, and manifest your knowledge
 “ of its true interests.

“ Many and great national objects must present themselves to your confi-
 “ derations during the recess from parliamentary business; but what I would
 “ most earnestly press upon you as that, on which your domestic peace and
 “ happiness, and the prosperity of the empire at this moment most immedi-
 “ ately depend, is to cultivate and diffuse those sentiments of affection and
 “ confidence, which are now happily restored between the two kingdoms.
 “ Convince the people in your several districts, as you are yourselves con-
 “ vinced, that every cause of past jealousies and discontents is finally removed;
 “ that both countries have pledged their good faith to each other, and that
 “ their best security will be an inviolable adherence to that compact; that
 “ the implicit reliance, which Great Britain has reposed on the honor, gene-
 “ rosity, and candour of Ireland, engages your national character to a return
 “ of sentiments equally liberal and enlarged: convince them, that the two
 “ kingdoms are now one, indissolubly connected in unity of constitution and
 “ unity of interests; that the danger and security, the prosperity and cala-
 “ mity of the one, must equally affect the other; that they stand or fall
 “ together.”

The parliament was then prorogued to the 24th of September following.

The parliament of Great Britain, in compliance with the proposals and demands of Ireland, by the 22d of Geo. III. c. 53. simply repealed the 6th of Geo. I. and the several matters and things therein contained. The armed bodies of the volunteers had now too long been enured to arms, as well as to the agitation of political subjects, not to partake of the spirit of enthusiasm, with which the questions of simple repeal and renunciation were contended for in parliament: frequent appeals to the volunteers were made by persons in parliament; and the volunteers assumed a consequence little short of legislative control. Several provincial meetings were called to take into consideration addresses suitable to the occasion. On the 17th of June, 1782, the national committee met prior to the meetings of the provinces. The avowed intent of their meeting was to canvas the proceedings of their representatives in parliament. A spirit of dissent had created discontent; and the immediate object of their consideration was, whether there existed or not just cause of complaint. At their first meeting nothing was agreed upon: at their next meeting the following resolution was unanimously carried.

VOLUNTEER NATIONAL COMMITTEE.

“ At a meeting of the Volunteer Committee, at Dublin, on Tuesday the 18th of June, 1782,

“ The Right Honorable Lord KINGSBOROUGH in the chair,
 “ Resolved unanimously, That the addresses of the Irish parliament having disclaimed any power or authority of any sort whatsoever, in the parliament of Great Britain over this realm, we shall consider a repeal of the 6th of George I. by the British parliament, made in pursuance of the said addresses, a complete renunciation of all the claims contained in the said statute, and as such, we will accept it, and deem it satisfactory.

(Signed) “ Mervyn Archdall, Francis Dobbs, Joseph Pollock, for
 “ Ulster.
 “ Lewis Francis Irwin, Charles O'Hara, John Geoghegan,
 “ for Connaught.
 “ Richard Talbot, William Burton, John Parnell, R. Nevill,
 “ for Leinster.
 “ Kingsborough, R. Sh. Carew, W. T. Monfel, Samuel Jacob,
 “ cob, A. Blennedpaffet, William Godfrey, George Stack-
 “ poole, for Munster.”

The

The great object of the national committee was, if possible, to preserve unanimity: most of the members were to attend their respective provincial meetings, and it was thought, that the only chance of unanimity was, to fix on one point, that they would support, and recommend in their particular provinces. On the same day Leinster met, and agreed with the national committee, as appears by their addresses to his majesty and his viceroy. On the 21st of June, Ulster met, and gave fatal proofs of the malicious industry, with which discontent had been propagated. Falsehoods of the most glaring nature had filled many of the papers, and misrepresentations disgraced the freedom of the press. English perfidy was inculcated, and the insufficiency of what had been obtained, asserted. Without any change whatsoever on the part of Great Britain, a number of men, who were even ready, a few days before, to cross the channel, to the aid of England, became unhappy and discontented, and the evening preceding the 21st of June wore a very melancholy aspect.

It fell to the lot of Major Dobbs to open the business. However, he explained his reasons for being fully satisfied, and moved the following address to his majesty.

ULSTER VOLUNTEERS, IRELAND.

Dungannon, June 21st, 1782.

“ Colonel WILLIAM IRVINE in the chair.

“ At a meeting of three hundred and six companies of this province, pursuant to public notice, the following address was unanimously agreed upon, and ordered to be presented to his majesty by the chairman, Major Francis Dobbs, Captain James Dawson, Captain Francis Evans, and Colonel Thomas Morris Jones.

“ To the king's most excellent majesty. The humble address of the volunteers of Ulster.

“ MOST GRACIOUS SOVEREIGN,

“ With the most unfeigned attachment to your majesty's person and family, we approach your throne. You are our true and lawful sovereign; and we trust that every act of ours will evince, that we are your faithful and loyal subjects.

“ The addresses of the Irish parliament having disclaimed any power or authority, of any sort whatsoever, in the parliament of Great Britain over

“ this realm, we shall consider an unqualified and unconditional repeal of the
 “ statute of the 6th of George I. by the British parliament, made in pur-
 “ suance of the said addresses, a complete renunciation of a principle hostile
 “ to the rights of Ireland, and of all the claims contained in the said statute;
 “ and as such we will accept it, and deem it satisfactory. Thus united by
 “ the sacred bond of freedom, we request our gracious sovereign to assure
 “ our sister kingdom, that we will be sharers in her fate, standing or falling
 “ with the British empire.

“ We humbly beg leave to express our gratitude for the appointment of
 “ his Grace the Duke of Portland to the government of Ireland. Prevented
 “ by situation from enjoying the presence of our benevolent sovereign, we
 “ rejoice in a viceroy, whose character assures us, that he will faithfully dis-
 “ charge the duties of his station.

“ The œconomy and retrenchment which your majesty has been graciously
 “ pleased both to recommend and practise, will, we humbly hope, be ex-
 “ tended to Ireland. Should a more equal representation of the people be
 “ also adopted, our prosperity would be for ever secured, and your majesty’s
 “ reign most honorably distinguished in the annals of mankind.

“ We rejoice in the great and signal success of your majesty’s arms: every
 “ enemy must yield to the efforts of a great, a brave, a free, and an united
 “ people. Your majesty’s choice of those, whom you have entrusted with
 “ the administration of public affairs, gives us the most heartfelt satisfaction;
 “ public confidence is revived; and we doubt not but your majesty’s crown
 “ and empire will speedily be raised to the highest pinnacle of human glory.

“ We have ever beheld with admiration your majesty’s domestic virtues.
 “ May your majesty, and the truly great and amiable partner of your throne,
 “ long, long live to bless each other; may the offspring of your happy union
 “ reward your parental fondness, by a display of every grace and every vir-
 “ tue; and when, at length, the immutable law of nature shall demand
 “ that tribute, which even kings must pay, may your mourning subjects
 “ with one voice lament, that the great, the benevolent father of his people
 “ is no more.

“ WILLIAM IRVINE, Chairman.

“ JAMES DAWSON, Secretary.”

It passed unanimously, and with a loud tribute of applause.

Captain Pollock then moved an address to the Duke of Portland, which
 was

was carried unanimously; as was also an address to Lord Charlemont, appointing him general of the volunteers of Ulster, moved by Lieutenant Colonel Alexander Stewart, and an address to Mr. Grattan, expressing the highest satisfaction at the vote of 50,000*l.* moved by Captain Pollock. A resolution moved by Colonel Knox, for assisting in raising the 20,000 seamen, and a resolution for erecting a monument at Dungannon, in which Lord Charlemont and Mr. Grattan were to be particularly distinguished, moved by the Rev. Mr. Crawford, were also carried unanimously.

The province of Connaught likewise expressed its satisfaction, in addresses to his majesty and the lord lieutenant, as appears by those addresses: Munster met, but did nothing.

The gentlemen, who were appointed to present the address to his majesty, immediately sailed for England: Lord Shelburne treated them with the greatest politeness; and his majesty was pleased most graciously to receive their address, and every mark of attention was paid through them to the volunteers of Ulster. But scarcely had their addresses been presented, when the packets from Ireland announced the dissatisfaction of two corps in the town of Belfast, which had been represented at Dungannon; they, who were executing their commission, were vilified and traduced in the news-paper; and Mr. Grattan, who had been addressed from every quarter, as the saviour of his country, who had been voted a statue by a full meeting of the lawyers of Ireland particularly convened, and 50,000*l.* by the House of Commons of Ireland, had become the object of the most illiberal abuse.

The Belfast review was approaching; those who were dissatisfied determined there to make their stand: and it had been for the two preceding years distinguished as the greatest in Ireland, and therefore its decision must carry considerable weight. The 1st Belfast company had taken the lead, and was indefatigable in the pursuit of its object, that dissatisfaction should be expressed at Belfast: this company sent a very strong address* to the corps who were to assemble at the review; which was ably drawn up, and very fully expressed the grounds and particulars of their dissatisfaction. Major Dobbs also addressed the same corps on the opposite side of the question by way of reply to their address.

* Both these addresses are expressive of the different opinions circulated abroad upon the question, and are to be seen, Append. No. LXIX.

The 31st of July displayed a truly glorious exhibition. A volunteer encampment of near three thousand men, and the volunteer garrison of upwards of one thousand, all completely clothed, armed, and accoutred. Their military knowledge and appearance struck the veteran with wonder.

Anonymous papers in thousands were dispersed through the camp and garrison. Every private was taught, that he was competent to legislate, and consequently to express his sentiments on the most speculative points. Declaration, renunciation, simple repeal, legal security, better security, and bill of rights, were all before them, and they were to instruct their delegates on these important points. The delegates assembled on the 3d of August, and Colonel Stewart (member for the county of Down) was unanimously called to the chair; and Major Dobbs, as exercising officer, moved an address to the Reviewing General, Lord Charlemont, in which he inserted a clause of their being fully satisfied. A debate commenced whether it should not be expunged; at the end of eleven hours a division took place, when there appeared for expunging 31, against it 29.

The address thus altered, passed unanimously.

Thus by the efforts and exertions of a wise and liberal administration were the liberties of Ireland restored; peace, unity, and content diffused through a revived nation, and the prosperity and glory of the British empire increased by adding strength, vigor, and felicity to that important part of it.

END OF THE FIRST VOLUME.

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APPENDIX.

No. I.

The Bull of ADRIAN IV. by which he granted Ireland to HENRY II.

(HISTORICAL REVIEW, &c. P. 26.)

ADRIAN the bishop, the servant of the servants of God, to his most dear son in Christ, the noble king of England, sendeth greeting and apostolick benediction. Your magnificence hath been very careful and studious how you might enlarge the church of God here in earth, and encrease the number of saints and elect in heaven, in that as a good Catholick king, you have and do by all means labour and travel to enlarge and increase God's church, by teaching the ignorant people the true and Christian religion, and in abolishing and rooting up the weeds of sin and wickedness. And wherein you have, and do crave, for your better furtherance, the help of the apostolic see (wherein more speedily and discreetly you proceed) the better success, we hope, God will send; for all they, which of a fervent zeal and love in religion, do begin and enterprize any such thing, shall no doubt in the end, have a good and prosperous success. And as for Ireland, and all other islands, where Christ is known and the Christian religion received, it is out of all doubt, and your excellency well knoweth, they do all appertain and belong to the right of St. Peter, and of the church of Rome; and we are so much the more ready, desirous, and willing, to sow the acceptable seed of God's word, because we know the same in the latter day will be most feverely required at your hands. You have (our well beloved son in Christ) advertised and signified unto us, that you will enter into the land and realm of Ireland, to the end to bring them to obedience unto law, and under your subjection, and to root out from among them their foul sins and wickedness;

as also to yield and pay yearly out of every house, a yearly pension of one penny to St. Peter, and besides also will defend and keep the rites of those churches whole and inviolate. We therefore, well allowing and favouring this your godly disposition and commendable affection, do accept, ratifie, and assent, unto this your petition, and do grant that you (for the dilating of God's church, the punishment of sin, the reforming of manners, the planting of virtue, and the encreasing of Christian religion) do enter to possess that land, and there to execute according to your wisdom, whatsoever shall be for the honour of God, and the safety of the realm. And further also we do strictly charge and require, that all the people of that land do with all humbleness, dutifulness, and honour, receive and accept you as their liege lord and sovereign, reserving and excepting the right of Holy Church to be inviolably preserved, as also the yearly pension of Peter pence out of every house, which we require to be truly answered to St. Peter and to the church of Rome. If therefore you do mind to bring your godly purpose to effect, endeavour to travail to reform the people to some better order and trade of life, and that also by yourself and by such others as you shall think meet, true and honest in their life, manners, and conversation, to the end the church of God may be beautified, the true Christian religion sowed and planted, and all other things done, that by any means shall or may be to God's honour and salvation of men's souls, whereby you may in the end receive of God's hands the reward of everlasting life, and also in the mean time, and in this life carry a glorious fame and an honourable report among all nations.

The Confirmation of the former Grant by ALEXANDER III.

ALEXANDER the bishop, the servant of the servants of God, to his dearly beloved son, the noble king of England, greeting, grace and apostolic benediction. Forasmuch as things given and granted upon good reason, by our predecessors, are to be well allowed of, ratified and confirmed, we well considering and pondering the grant and privilege for, and concerning the dominion of the land of Ireland to us appertaining, and lately given by Adrian our predecessor, we following his steps, do in like manner confirm, ratifie, and allow the same; reserving and saving to St. Peter, and to the church of Rome, the yearly pension of one penny out of every house,

house, as well in England as in Ireland. Provided also, that the barbarous people of Ireland, by your means, be reformed and recovered from their filthy life and abominable conversation; that as in name, so in life and manners they may be Christians, and that as that rude and disordered church, being by you reformed, the whole nation may also with the possession of the name be in acts and deeds followers of the same.

No. II.

The Treaty or Articles of Windsor. Page 31.

HIC est finis et concordia quæ facta fuit apud Windesore, in Octabis Sancti Michaelis anno Gratiae 1177, inter Dominum Regem Angliæ Henricum Secundum, et Rodericum Regem Conaciæ per Catholicum Tuamensem Archiepiscopum et Abbatem C. Sancti Brandani, et Magistrum Laurentium cancellarium Regis Conaciæ.

1mo. Quod Rex Angliæ concedit prædicto Roderico, ligo homini suo Regnum Conaciæ, quamdiu ei fideliter serviet, ut sit Rex sub eo, paratus ad servitium suum, sicut homo suus; et ut teneat terram suam, ita bene, et in pace sicut tenuit antequam Dominus Rex Angliæ intravit Hiberniam, reddendo ei tributum: et totam illam terram et habitatores terræ habeat sub se; et justitiæ ut tributum Regi Angliæ integre persolvant, et per manum ejus sua jura sibi conservent, et illi qui modo tenent, teneant in pace, quamdiu manserint in fidelitate Regis Angliæ; et fideliter et integre persolverint tributum et alia jura sua, quæ ei debent per manum Regis Conaciæ; salvo in omnibus jure et honore Domini Regis Angliæ et suo.

2do. Et si qui ex eis Regi Angliæ, et ei rebelles fuerint, et tributum et alia jura Regis Angliæ, per manum ejus solvere noluerint, et a fidelitate Regis Angliæ receperint, ipse eos justitiet et amoveat, et si eos per se injustiare non poterit, Constabularius Regis Angliæ et familia sua de terrâ illâ juvabunt eum ad hoc faciendum, cum ab ipso fuerint requisiti, et ipsi viderint quod necesse fuerit, et propter hunc finem reddet prædictus Rex Conaciæ Domini Regi Angliæ tributum singulis annis, scilicet, de singulis decem animalibus unum corium placabile mercatoribus, tam de totâ terrâ suâ, quam de alienâ.

3o. Exceptò, quod de terris illis, quas Dominus Rex Angliæ retinuit in

dominio suo, et in dominio Baronum suorum, nihil se intromittet; scilicet Durelina cum pertinentiis suis, sicut unquam Murchait, Wamai, Lethlachlin eam melius et plenius tenuit, aut aliqui qui eam de eo tenuerint. Et exceptâ Wexfordiâ, cum omnibus pertinentiis suis; scilicet, cum totâ Lageniâ, et exceptâ Waterfordiâ usque ad Dungarvan, ita ut Dungarvan sit, cum omnibus pertinentiis suis infra terram illam.

4to. Et si Hibernensis illi qui aufugerint, redire voluerint ad terram Baronum Regis Angliæ, redeant in pace, reddendo tributum prædictum quod alii reddunt, vel faciendo antiqua servitia, qua facere solebant pro terris suis; et hoc sit in arbitrio Dominorum suorum; et si aliqui eorum redire noluerint Domini eorum et Rex Conaciæ accipiat obsides, omnibus quos ei commisit Dominus rex Angliæ, ad voluntatem Domini Regis et suam, et ipse dabit obsides ad voluntatem Domini Regis Angliæ illos vel alios; et ipsi servient Domino de canibus et avibus suis singulis annis de pertinentiis suis, et nullum omnino de quâcumque terrâ Regis sit, retinebunt contra voluntatem Domini Regis. His testibus Richardo Episcopo Wintoniæ, Gaufrido Episcopo Eliensi, Laurentio Duvelienfi Archiepiscopo, Gaufrido, Nicholao et Rogero Capellanis Regis, Gulielmo Comite Effexii, et aliis multis, etc.

No. III.

Extracts from the Irish Remonstrance to Pope JOHN XXII. P. 44.

IT is extremely painful to us, that the viperous detractions of slanderous Englishmen, and their iniquitous suggestions against the defenders of our rights, should exasperate your holiness against the Irish nation. But alas, you know us only by the misrepresentation of our enemies, and you are exposed to the danger of adopting the infamous falsehoods, which they propagate, without hearing any thing of the detestable cruelties, they have committed against our ancestors, and continue to commit even to this day against ourselves. Heaven forbid, that your holiness should be thus misguided; and it is to protect our unfortunate people from such a calamity, that we have resolved here to give you a faithful account of the present state of our kingdom, if indeed a kingdom we can call the melancholy remains of a nation, that so long groans under the tyranny of the kings of England, and
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of their barons; some of whom, though born among us, continue to practise the same rapine and cruelties against us, which their ancestors did against ours heretofore. We shall speak nothing but the truth, and we hope, that your holiness will not delay to inflict condign punishment on the authors and abettors of such inhuman calamities.

Know then, that our forefathers came from Spain, and our chief apostle St. Patrick, sent by your predecessor, Pope Celestine, in the year of our Lord 435, did by the inspiration of the Holy Ghost, most effectually teach us the truth of the Holy Roman Catholic faith, and that ever since that, our kings well instructed in the faith, that was preached to them, have, in number sixty-one, without any mixture of foreign blood, reigned in Ireland to the year 1170. And those kings were not Englishmen, nor of any other nation but our own, who with pious liberality bestowed ample endowments in lands, and many immunities on the Irish church, though in modern times our churches are most barbarously plundered by the English, by whom they are almost despoiled. And though those our kings, so long and so strenuously defended, against the tyrants and kings of different regions the inheritance given them by God, preserving their innate liberty at all times inviolate; yet, Adrian IV. your predecessor, an Englishman, more even by affection and prejudice, than by birth, blinded by that affection and the false suggestions of Henry II. King of England, under whom, and perhaps by whom, St. Thomas of Canterbury was murdered, gave the dominion of this our kingdom by a certain form of words to that same Henry II. whom he ought rather to have stript of his own on account of the above crime.

Thus, omitting all legal and judicial order, and alas! his national prejudices and predilections blindfolding the discernment of the pontiff, without our being guilty of any crime, without any rational cause whatsoever, he gave us up to be mangled to pieces by the teeth of the most cruel and voracious of all monsters. And if sometimes nearly flayed alive, we escape from the deadly bite of these treacherous and greedy wolves, it is but to descend into the miserable abysses of slavery, and to drag on the doleful remains of a life more terrible than death itself. Ever since those English appeared first upon our coasts in virtue of the above surreptitious donation, they entered our territories under a certain specious pretext of piety and external hypocritical shew of religion; endeavouring in the mean time, by every artifice malice could suggest, to extirpate us root and branch, and with-
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out any other right, than that of the strongest, they have so far succeeded by base and fraudulent cunning, that they have forced us to quit our fair and ample habitations and paternal inheritances, and to take refuge, like wild beasts, in the mountains, the woods, and the morasses of the country; nor can even the caverns and dens protect us against their insatiable avarice. They pursue us even into these frightful abodes, endeavouring to dispossess us of the wild uncultivated rocks, and arrogating to themselves the property of every place, on which we can stamp the figure of our feet; and through an excess of the most profound ignorance, impudence, arrogance, or blind insanity scarce conceivable, they dare to assert, that not a single part of Ireland is ours, but by right entirely their own.

Hence the implacable animosities and exterminating carnage, which are perpetually carried on between us; hence our continual hostilities, our detestable treacheries, our bloody reprisals, our numberless massacres, in which since their invasion to this day, more than 50,000 men have perished on both sides: not to speak of those, who died by famine, despair, the rigors of captivity, nightly marauding, and a thousand other disorders, which it is impossible to remedy, on account of the anarchy in which we live; an anarchy, which alas! is tremendous not only to the state, but also to the church of Ireland; the ministers of which are daily exposed, not only to the loss of the frail and transitory things of this world, but also to the loss of those solid and substantial blessings, which are eternal and immutable.

Let those few particulars concerning our origin, and the deplorable state, to which we have been reduced by the above donation of Adrian IV. suffice for the present.

We have now to inform your holiness, that Henry, king of England, and the four kings his successors, have violated the conditions of the pontifical bull, by which they were impowered to invade this kingdom; for the said Henry promised, as appears by the said bull, to extend the patrimony of the Irish church, and to pay to the apostolical see, annually one penny for each house; now this promise both he and his successors above mentioned, and their iniquitous ministers, observed not at all with regard to Ireland. On the contrary, they have entirely and intentionally eluded them and endeavoured to force the reverse.

As to the church lands, so far from extending them, they have confined them, retrenched them, and invaded them on all sides, inasmuch that some
cathedral

cathedral churches have been by open force, notoriously plundered of half their possessions: nor have the persons of our clergy been more respected; for in every part of the country, we find bishops and prelates cited, arrested, and imprisoned without distinction, and they are oppressed with such servile fear by those frequent and unparalleled injuries, that they have not even the courage to represent to your holiness the sufferings they are so wantonly condemned to undergo. But since they are so cowardly and so basely silent in their own cause, they deserve not that we should say a syllable in their favor. The English promised also to introduce a better code of laws and enforce better morals among the Irish people; but instead of this they have so corrupted our morals, that the holy and dove-like simplicity of our nation is, on account of the flagitious example of those reprobates, changed into the malicious cunning of the serpent.

We had a written code of laws, according to which our nation was governed hitherto; they have deprived us of those laws, and of every law except one, which it is impossible to wrest from us; and for the purpose of exterminating us they have established other iniquitous laws, by which injustice and inhumanity are combined for our destruction. Some of which we here insert for your inspection, as being so many fundamental rules of English jurisprudence established in this kingdom.

Every man not an Irishman, can on any charge however frivolous, prosecute an Irishman; but no Irishman whether lay or ecclesiastic (the prelates alone excepted) can prosecute for any offence whatsoever, because he is an Irishman. If any Englishman should, as they often do, treacherously and perfidiously murder an Irishman, be he ever so noble or so innocent, whether lay or ecclesiastic, secular or regular, even though he should be a prelate, no satisfaction can be obtained from an English court of justice; on the contrary the more worthy the murdered man was, and the more respected by his own countrymen, the more the murderer is rewarded and honoured; not only by the English rabble, but even by the English clergy and bishops; and especially by those, whose duty it is chiefly, on account of their station in life, to correct such abominable malefactors. Every Irish woman, whether noble or ignoble, who marries an Englishman, is after her husband's death deprived of the third of her husband's lands and possessions, on account of her being an Irish woman. In like manner, whenever the English can violently oppress to death an Irishman, they will by no means permit him to make a will or

or any disposal whatsoever of his affairs: on the contrary, they seize violently on all his property, deprive the church of its rights, and per force reduce to a servile condition that blood, which has been from all antiquity free.

The same tribunal of the English, by advice of the King of England, and some English bishops, among whom the ignorant and ill-conducted Archbishop of Armagh was president, has made in the city of St. Kenniers (Kilkenny) the following absurd and informal statute: that no religious community in the English Pale, shall receive an Irishman as novice, under pain of being treated as contumacious contemners of the King of England's laws. —And as well before as after this law was enacted, it was scrupulously observed by the English Dominicans, Franciscans, monks, canons, and all other religious orders of the English nation, who shewed a partiality in the choice of their religious subjects; the more odious, in as much as those monasteries were founded by Irishmen, from which Irishmen are so basely excluded by Englishmen in modern times. Besides, where they ought to have established virtue, they have done exactly the contrary; they have exterminated our native virtues, and established the most abominable vices in their stead.

For the English, who inhabit our island, and call themselves a middle nation (between English and Irish) are so different in their morals from the English of England, and of all other nations, that they can with the greatest propriety, be stiled a nation not of middling, but of extreme perfidiousness; for it is of old, that they follow the abominable and nefarious custom, which is acquiring more inveteracy every day from habit, namely, when they invite a nobleman of our nation to dine with them, they, either in the midst of the entertainment, or in the unguarded hour of sleep, spill the blood of our unsuspecting countrymen, terminate their detestable feast with murder, and sell the heads of their guests to the enemy. Just as Peter Brumicheame, who is since called the treacherous baron, did with Mauritius de S—— his fellow sponzor, and the said Mauritius' brother, Calnacus, men much esteemed for their talents and their honour among us; he invited them to an entertainment on a feast day of the Holy Trinity; on that day the instant they stood up from the table, he cruelly massacred them, with twenty-four of their followers, and sold their heads at a dear price to their enemies; and when he was arraigned before the King of England, the present king's father, no justice could be obtained against such a nefarious and treacherous offender.

offender. In like manner Lord Thomas Clare, the Duke of Gloucester's brother, invited to his house the most illustrious Brien Roe O'Brien of Thomond his sponfor. - - - - -

All hope of peace between us is therefore completely destroyed; for such is their pride, such their excessive lust of dominion, and such our ardent ambition to shake off this insupportable yoke, and recover the inheritance, which they have so unjustly usurped; that, as there never was, so there never will be any sincere coalition between them and us: nor is it possible there should in this life, for we entertain a certain natural enmity against each other, flowing from mutual malignity descending by inheritance from father to son, and spreading from generation to generation.

Let no person wonder then, if we endeavour to preserve our lives, and defend our liberties, as well as we can, against those cruel tyrants, usurpers of our just properties and murderers of our persons; so far from thinking it unlawful, we hold it to be a meritorious act, nor can we be accused of perjury or rebellion, since neither our fathers or we, did at any time bind ourselves by any oath of allegiance to their fathers or to them, and therefore without the least remorse of conscience, while breath remains, we will attack them in defence of our just rights, and never lay down our arms until we force them to desist. Besides, we are fully satisfied to prove in a judicial manner, before twelve or more bishops, the facts, which we have stated, and the grievances, which we have complained of. Not like the English, who in time of prosperity condemn all legal ordinances, and if they enjoyed prosperity at present, would not recur to Rome, as they do now, but would crush, with their overbearing and tyrannical haughtiness, all the surrounding nations, despising every law human and divine.

Therefore, on account of all those injuries, and a thousand others, which human wit cannot easily comprehend, and on account of the kings of England, and their wicked ministers, who, instead of governing us, as they are bound to do, with justice and moderation, have wickedly endeavoured to exterminate us off the face of the earth, and to shake off entirely their detestable yoke, and recover our native liberties, which we lost by their means, we are forced to carry on an exterminating war; chusing in defence of our lives and liberties, rather to rise like men and expose our persons bravely to all the dangers of war, than any longer to bear like women their atrocious and detestable injuries; and in order to obtain our interest the more speedily and

consistently, we invite the gallant Edward Bruce, to whom, being descended from our most noble ancestors, we transfer, as we justly may, our own right of royal dominion, unanimously declaring him our king by common consent, who in our opinion, and in the opinion of most men, is as just, prudent and pious, as he is powerful and courageous: who will do justice to all classes of people, and restore to the church those properties, of which it has been so damnably and inhumanly despoiled, &c.

No. IV.

The following is the Form of a Proclamation made on the Occasion of changing the Lordship into the Kingdom of Ireland. P. 62.

FORASMUCH as the hearts of all godly, natural, reasonable, and civil creatures be kindled with love and joy, when they hear of the prosperity, triumph and advancement of their natural sovereign liege lord; honourable assembly, ye shall understand, that the triumph shewed here this day is done principally to give thanks to God, for his great benefits shewed to our noble and victorious king, Henry the eighth, and to deliver our own gladness and joy, that his majesty is now, as he hath always of right been, acknowledged by the nobility and commons of this his realm of Ireland, to be *King* of the same, and he and his heirs to be named, reputed and taken for evermore kings of Ireland, most worthy under God. And for manifestation partly of the gladness of the nobility here assembled, it is agreed by the king's deputy, and the lords spiritual and temporal, and the commons assembled in this parliament, that all prisoners of whatever estate, degree, or condition, however they be detained for murder, felony or other offences, which the said lord deputy may pardon (treason, wilful murder, rape and debt only excepted) shall be clearly delivered out of prison or prisons though herein they may or any of them be detained, and all such prisoners as so shall be delivered, shall have their pardon frank and free, requiring the same accordingly. And God save the king's majesty, King Henry the eighth, king of England, Ireland and France, defender of the faith, and in earth supreme head of the Church of England and Ireland.

No. V.

Proclamation of temporary Constitutions made by Deputy and Council IN
MAGNO PARLIAMENTO. P. 64.

- 1st. That King Henry be received and called King of Ireland.
- 2d. That bishops may exercise their jurisdictions in their dioceses, according to the law of God, and the canons.
- 3d. That laymen nor boys be not admitted to ecclesiastical preferments, and that such as be in already, shall be immediately deprived.
- 4th. That the demesnes of bishops, and the glebes of rectors and vicars not exceeding ten marks per annum, be exempted and privileged from taxes.
- 5th. That all those, that have dignities or benefices ecclesiastical, shall take orders and reside.
- 6th. That a general peace be proclaimed throughout Munster; and afterwards, he that commits murder or robbery shall be fined forty pounds, half to the king and half to the lord of the fee.
- 7th. That larceny, above the value of fourteen pence, shall be punished with loss of an ear the first time, and t'other ear the second, and the third time with death.
- 8th. No horseman shall keep more garçons or boys, than horses, on pain of twenty shillings.
- 9th. That every father shall answer for his children, master for his servants, gentleman for his followers, and brother for his brethren, under his tuition, and shall give in a list of them.
- 10th. That every kerne, that has not a master, that will answer for him, be taken as a vagabond.
- 11th. That there be no more exactions to maintain horse or foot, or kernes or to war against one another; and that no more coyne or livery be taken but by the deputies order at a general hustings.
- 12th. That nevertheless the captain of the county must have the usual contribution of the country for the public and his own private defence.
- 13th. That petty larceny be punished by a fine of three pounds six shillings and eight pence, whereof forty shillings shall be paid to the captain or lord of the

the county, and twenty shillings to the taniſt, *ſi non eſt particeps criminis*, and fix ſhillings and eight pence to the informer.

14th. That no man buy goods above the value of five ſhillings, from any ſuſpected perſon, at his peril, if they prove to be ſtolen.

15th. *Depopulatores agrorum et ſpoliatores per viam* and rape ſhall be puniſhed with death without mercy.

16th. That no man ſhall meddle with any eccleſiaſtical officer or benefice, but pay all their tithe punctually, and half tithe of the fiſh taken by foreigners on the coaſt.

17th. That noblemen ſhall have but twenty cubits or bundles of linen in their ſhirts, horſemen eighteen, footmen ſixteen, garſons twelve, clowns ten, and that none of their ſhirts ſhall be dyed with ſaffron on pain of twenty ſhillings.

18th. That the lord or gentlemen, into whoſe county a theft is traced, muſt trace it thence, or make reſtitution.

19th. No *hiſtriones*, *mummers* or *players* at Chriſtmas or Eaſter.

Laſtly, the Earl of Ormond, in the counties of Waterford, Typerary and Kilkenny, and the Earl of Deſmond in the reſt of Munſter, are made *cuſtodes* and *executores* of theſe ordinances, with the aſſiſtance of the Biſhop of Caſhel.

No. VI.

3 and 4 P. and M. c. 2. *An Act whereby the King and Queen's Majeſties, and the Heires and Succeſſours of the Queen be entitled to the Countries of Leix, Slewmerge, Irry, Glinmaliry, and Offaily, and for making the ſame Countries Shire Grounds.* P. 70.

PRAYEN the commons in this preſent parliament aſſembled, that foras-
much as the O'Mores, Odempſies, O'Connors, and others of the Irifhry,
lately inhabiting the countries of Leix, Slewmerge, Irry, Glinmaliry, and
Offaily, and by their fundry manifeſt treaſons, after many pardons granted
to them, and fundry benefits ſhewed to them, yet often rebelled, committing
great hurts to the king and queen's majeſties moſt loving ſubjects, by the
which they provoked the moſt worthy prince, Edward the fixth, brother to
our

our said sovereign lady, the queen's majestie, to use his power against them, who at length to his great charge did subdue and repress the said Irish rebels or enemies, bringing into his possession the countries aforesaid, thence which time the said O'Mores, Odempies, O'Connors, and others of the said Irishry, have traitorously, contrary to their bounden duties, by force entered the said countries, and them so did hold against the king and queen's majesties, unto such time as their majesties, by the diligent and painfull travaill and labour of the Right Honourable the Earl of Suffex, their majesties lord deputy in Ireland by the sword evicted and reduced the said countries out of and from the wrongfull and usurped possession of the said Irish enemies or rebels to their majesties former possession, as of right appertayneth, and for that, that neither of the said countries is known to be within the limites of any shires or counties of this realm, no title could be found either to the said late king, or to their majesties, for and in the said countries, and the hereditaments of them as by their graces law is appointed to be in like case; by default whereof their majesties might not take order for the disposition of the said countries by their graunts as they now intend to doe. Bee it therefore ordeyned enacted and established by our said sovereign lord and lady the king and queens majesties, the lords spiritual and temporall, and the commons in this present parliament assembled, and by authoritie of the same, that the said king and queens majesties during the life of the said queen, and the heires and succeffors of the said queen, shall have, hold and possess for ever as in the right of the crown of England and Ireland, the said counties of Leix, Slew-marge, Iwrye, Glimnalyrie and Offaily, and all singular seignories, honours, mannors, castles, fortresses, messuages, lands, tenements, woods, moores, pastures, mountaines, marshes, waters, rivers, loghes, churches, chappels, advowsons, patronages, townes, fields, rentes, services, and all and singular other the heriditaments, spiritual and temporall, of what name, nature, kind or quality soever they bee of in the said countries and everie of them according to the auncient limits, meares, and boundes of the same countries, and everie of them, except all and singular such parsonages and vicarages, as now have cure there, the patronages whereof shall be likewise given to their majesties and to the heirs and succeffors of the said queen's majestie for ever.

No. VII.

From the Preamble of 11 ELIZ. c. 1.

AND now most deere soveraign ladie, least that any man, which list not to seek and learn the truth, might be ledd eyther of his owne fantastical imagination, or by the sinister suggestion of others, to think that the strene or lyne of the O'Neils should or aught by prioritie of title to hold or possesse anie part of the dominion or territories of Ulster, before your majesty, your heyres and successours, we your grace's said faithful and obedient subjects, for avoyding of all such scruple, doubt, and erroneous conceit, do intend here (pardon first craved of your majesty for our tedious boldnesse) to disclose unto your highnesse your auncient and fundry strong authentique tytles conveyed farre beyond the said lynage of the O'Neiles, and all other of the Irishrie, to the dignitie, state, title, and possession of this your grace's realm of Ireland. And therefore it may like your most excellent majestie to be advertised, that the auncient chronicles of this realm, written both in the Latine, English, and Irish tongues, alledge fundry auncient titles for the Kings of England to this land of Ireland. And first, that at the beginning, afore the comming of Irishmen into the sayd land, there were dwelling in a province of Spain, called Biscan, whereof Bayon was a member, and the chief citie; and that at the said Irishmen's comming into Ireland, one King Gurmonde, sonne to the noble King Belan, King of Great Britaine, which is called England, was lord of Bayon, as many of his successours were to the time of King Henry the Second, first conquerour of this realm, and therefore the Irishmen should be the King of England his people, and Ireland his land. Another title is, that at the same time that Irishmen came of Biscay as exiled persons in sixtie ships, they met with the same King Gurmond upon the sea, at the Yles of Orcades, then coming from Denmark with great victory, their captaines called Heberus and Hermon, went to this king, and him told the cause of their comming out of Biscay, and him prayed with great instance, that he would graunt unto them, that they might inhabite some land in the west. The king at last, by advice of his counsel, granted them Ireland to inhabit, and assigned unto them guides for the sea to bring them thither; and therefore they should and aught to bee the King of England's men. Another title is, the clerke Giraldus Cambrensis,

brensis, writeth at large the historie of the conquest of Ireland, by King Henry the Second, your famous progenitor, how Dermot Mac Morch, prince of Leinster, which is the first part of Ireland, being a tyrant or tyrants banished, went over the sea into Normandie, in the parts of France, to the King Henry, and him basely besought of succour, which hee obtayned, and thereupon became liegeman to the said King Henry, through which he brought power of Englishmen into the land, and married his daughter, named Eve, at Waterford, to Sir Richard Fitz Gilbert, earl of Stranguill, in Wales, and to him graunted the reversion of Leinster, with the said Eve his daughter. And after that the said earl granted to the said King Henry, the citie of Dublin, with certaine cantredes of land next to Dublin, and all the haven-townes of Leinster, to have the rest to him in quiet, with his grace's favour. Another title is, that in the year of our Lord God one thousand one hundred sixtie-two, the aforesaid King Henry landed at the citie of Waterford, within the realm of Ireland, and there came to him Dermot, King of Cork, which is of the nation of the Mac Carties, and of his own proper will became liege tributorie, for him and his kingdom, and upon that made his oath, and gave his hostages to the king. Then the king rode to Cashell, and there came to him Donalde, King of Limericke, which is of the nation of the O'Briens, and became his liege, as the other did. Then came to him Donalde, King of Offorie, Mac Shaghlin, King of Ophaly, and all the princes of the South of Ireland, and became his liegemen aforesaid. Then went the said King Henry to Dublin, and there came to him O'Kirnill, King of Uriell, O'Rowrke, King of Meth, and Rothorick, King of all Irishmen of the land, and of Connaght, with all the princes, and men of value of the land, and became liege subjects and tributaries, by great oathes, for them, their kingdomes, and lordshippes to the said King Henry, and that of their owne good wills, as it should seem, for that the chronicles make no mention of any warre or chivalrie done by the said King, all that time, that he was in Ireland. And in the year of our Lord God a thousand a hundred fourscore and five, he gave the land of Ireland to his youngest sonne John by name, about which time the said John came in person into Ireland, and held the same land. Another title is, that all the clergie of this realm assembled at Armagh at the time of the conquest, upon coming over of Englishmen our forefathers, and there it was decreed and deemed by them, that through the sinne of the people of the land, by the sentence of

of God, the mischiefe of the conquest then befell. Another title is, that the first comming and being of King Richard the Second, in Ireland, at the citie of Dublin, and other places of the land, there came unto him, with their own good wills, O'Neyl, captain of the Irishmen of Ulster, O'Breene of Thomond, O'Connor of Connaght, Arther Mac Morchie, captain of Irishmen in Leinster, and all captaines of Irishmen of Ireland, and became liege men to the said King Richard, and to him did homage and fealty, and for the more greater suretie bound themselves in great summes of money, by divers instruments, in case they did not truely keepe and hold their allegiance in the forme aforesaid; and therefore sayeth this clerk, that from the beginning of his time, which was about three hundred and fourscore years past, good is the King of England's title and right to the land and lordship of Ireland, and wisheth him for shame to hold the same as a thing of great price, in despite of them that would say the contrarie. This author, in a short collection of this his historie, saith, that one Robert Fitz Stephen was the first man, that opened the way of Ireland to the Earl Stranguyle, the earl to King Henry, the king to his son John, and that greatly hee is to be praised, that first so boldly began; and greater worthy of prayse, that after the beginning so nobly came to execute the thing so well began, but most of all he is to be praised, that shall end the same: which prayse, by God's divine prescience, is light on your majestie, in whoes happie days this four hundred and four years began conquest is now ended, and brought to an honourable passe, without any great effusion of bloud, but by a godly conquest, in winning of the people and the land, who now being over layed by the mightiness of your power, and perswaded by the just and gracious dealing of your deputie here, are fatigated with warre, and begin to cry, first for your mercy, and next for your justice, to remaine as a continual stickler among them, and to right and end their causes for ever. Now leaving these historical titles, which be witnesse at time, and the meane whereby man is brought to the knowledge of antiquities, as a firme foundation layed for your majesties good and found right to this realm, we will corroborate the same with recent matter of record, verifying your majesties title in generalitie to the whole realm of Ireland, and in particularitie to the dominion and territories of Ulster. And therefore it is to be understood, that King Henry the Second, the first conquerour of this realme, sent one John de Corbie, being a valiant knight, and a borne subject to the crowne of England, into Ulster
with

with a power of men, who first won the citie of Downe, and after that conquered all Ulster, and brought the people of the same in due subjection to the crowne of England, and for his painefull service and worthy deeds, did hold and possesse the sayd countrey of Ulster quietly of the King of England's gift, of whose companions in armes, there remaineth this day in Ulster, as a testimonie of that conquest, certaine stripes of English blood, as the Savages, Gordans, Fitz Simons, Chamberlins, Benfons, Ruffels, Audeleyes, Whytes, and many others, as proprietories of large portions of land, hardly and valiantly hitherto kept by them, although with great peril and povertie: which John de Corfie died without issue, after whose death the same countries were given to Hugh de Lacey, and to his heires, who died, having issue a daughter, which daughter was married to one Redmonde de Burgo, which Burgo, after three or four decentes, had issue a daughter, was espoused to Leonell, Duke of Clarence, third begotten son of your most famous progenitor King Edward the Third, who likewise quietly held the same countrey of Ulster during his life, in right of his sayd wife, and died, having issue Philippe, his only daughter, which was married to Edmonde Mortimer, earle of March, who long and honourably enjoyed the same country; which Edmond Mortimer had issue Roger Mortimer, earle of March, which had issue Edmond Mortimer, Anne, and Ellynor, which Edmond and Ellynor died without issue: and the said Anne was married to Richard, earl of Cambridge, sonne unto Edmond Langley, duke of York, the fifth begotten sonne of the said King Edward the Third; which Richard had issue the famous prince Richard Plantagenet, duke of York, which had issue that noble prince King Edward the Fourth, father to the virtuous Queen Elizabeth, your majesties grandmother, united in matrimony to the high and sage Prince Henry the Seventh, your majesties good and gracious grandfather: during all which time the O'Neyles were of no estimation, nor durst bear up head in Ulster, but lived as vassals and obedient people to the crowne of England, untill civill warres began in the realm of England, betwixt King Richard the Second, and Henry of Lancaster, sonne to John of Gaunt, by which discord the foundation of this common wealth began to shake; for that those personages of honour and reputation here withdrew themselves to England, to be occupied as they were affected in that factious time; upon whose departure the O'Neyles, and other Irishrie heere, fought and took opportunitie to withdraw from their dutie of allegiance, and so to doe

all that, which appertained to rebellious and undutifull subjects to doe, and so discontinued uncontrolled, untill the foure and thirtieth year of the raigñ of your most famous and victorious father King Henry the Eighth, at which time O'Neyle, O'Breene, Mac William Bourk, and others, the greatest and chieftest captaines of the Irisbrie of this realm, repaired into England to his majestie's royal presence, and there with all humilitie, free consent, and good will submitted themselves unto his grace, resigning and surrendering up unto his highnesse hands their captainships, stiles, titles, dignities, superiorities, countries, and lands, to be ordered and disposed at his grace's pleasure; who, like a mercifull and bounteous prince, accepting the same, returned them home againe, with English names of honour, great gifts and possessions, to be holden in succession, by English tenure, of his majestie, his heires and successors for ever. And farther in a parliament holden at Dublin within this realm, the eight and twentieth year of the raigne of youre said most famous father, it was enacted by an act, intituled, *The Act of Absencie*:

“ That forasmuch as it was notorious and manifest, that this land of Ireland, being heretofore inhabited and in due obedience to the said king's most noble progenitors, who in those days, in the right of the crowne of England, had great possessions, rents, and profits within the same land, hath principally grown into ruine, rebellion, and decay, by occasion that great dominions, lands, and possessions within the same land, as well by the king's graunts, as by course of inheritance, descended to noblemen of the realm of England, and especially the lands and dominions of the earledomes in Ulster and Leinster; the conquest and winning whereof, in the beginning, not only cost the king's said noble progenitors, and their faithfull subjects of this realm, charges inestimable, but also those, to whom the said lands was given then, and many years after abiding within the said land, nobly and valiantly defended the same against all the king's enemies, and also kept the same in such tranquillity and good order, as the king of England had due obedience of the inhabitation there, the laws obeyed, and of the revenues and regalitie were duely answered; and after the gift or descent of the said lands, possessions, and dominions to the persons aforesaid, they and their heires absented themselves out of the said land of Ireland, denjorning within the realm of England, not pondering ne regarding the preservation thereof, the townes, castels, and garisons appertaining unto them, fell in ruin and decay, and the English
“ inha-

“ inhabitants therein, in default of defence and justice and by compulsions of
“ those of the Irish, were exiled, whereby the king’s said progenitors lost as
“ well their said dominion and subjection there, as also all their revenues and
“ profits, and their said enemies, by redopting or retaining the said lands,
“ dominions, and possessions, were elevated into great pride, power, and
“ strength for suppressing of the residue of the king’s subjects of this land,
“ which they daily, ever since, have attempted, whereby they from time to
“ time usurped and encroached upon the king’s dominion, which hath been
“ the principall cause of the miserable estate wherein the land was at that
“ present time:” and those lands and dominions, by negligence and default
of the very inheritors, after this manner lost, may bee good example to your
majestie, intending by the grace of God, the reformation of the said land, to
foresee and prevent, that the like shall not insue hereafter. Therefore the
three estates of this realm, assembled in the present parliament, did enact,
condicend, and agree, “ That your majesties said most famous father should
“ have, hold, possesse, and injoy, to him, his heires and successors, for ever,
“ as in the right of the crown of England, as well the said earldomes of
“ Ulster and Leinster, as also all other honours, mannours, lordships, castles,
“ feignories, and other hereditaments whatever to the said persons in any
“ wise belonging or appertayning, within this your majesties realm of Ire-
“ land.” And likewise in a parliament holden at the said citie of Dublin
within this land, in the three and thirtieth year of the raig of your said most
victorious father, it was enacted then by authoritie of the said parliament,
“ That your majesties said most famous father should bee king of Ireland,
“ and that his highnesse, his heires and successors, as kings of the same
“ realm should have all kingly estate, preheminance, dignitie, and superioritie
“ over this land and the people of the same:” all which recent and strong
titles considered together with this your majesties late honourable eviction of
the said dominion of Ulster from the usurpation of the traytirous intruder
Shane O’Neyle, maketh to manifest proof to the world of your cleere, sound
and unspotted titles, both to the whole body of this realm, and in particu-
laritie to that part and member of Ulster, out of which hath like to have
growen the infection and subversion of this your realm.

No. VIII.

Letter from LORD ESSEX to QUEEN ELIZABETH, dated 15 June, 1598.
(Page 77.)

WHEN this shall come to your majesty's hands, I know not; but whensoever it hath that honour, give it leave (I humbly beseech your majesty) to tell you, that now having passed through the provinces of Leinster and Munster; and been upon the frontier of Connaught (where the governour, and the chief of the province were with me) I dare begin to give your majesty some advertisement of the state of this kingdom, not as before by hear-say, but as I beheld it with mine own eyes. The people in general have able bodies by nature, and have gotten by custome ready use of arms, and by their late successes boldness to fight your majesties troupes: In their pride they value no man but themselves; in their affection they love nothing but idleness, and licentiousness; in their rebellion they have no other end, but to shake off the yoke of obedience to your majesty, and to rout out all remembrance of the English nation in this kingdom. I say, I say this of the people in general; for I find not only a great part thus affected, but that it is a general quarrel of the Irish; and they who do not profess it, are either so few, or so false, that there is no account to be made of them. The Irish nobility, and lords of countries, do not only in their hearts affect this plausible quarrel, and are divided from us in religion, but have an especial quarrel against the English government, because it limiteth, and tieth them who have ever been, and ever would be as absolute tyrants as any are under the sun; the towns (being inhabited by men of the same religion and birth as the rest) are so carried away with the love of gain, that for it, they will furnish the rebels with all things that may arm them, or inable them against the state, or against themselves. The wealth of the kingdom (which consisteth in cattel, oatmeal, and other victuals) is almost in the rebels hands, who in every province, till my coming, have been masters of the field. The expectation of these rebels is very present, and very confident, that Spain will either so invade your majesty, that you shall have no leisure to prosecute them here, or so succour them, that they will get most of the towns into their hands, e'er your majesty shall relieve and reinforce your army, so that now if your majesty resolve

ſolve to ſubdue theſe rebels by force, they are ſo many, and ſo framed to be ſoldiers, that the war will certainly be great, coſtly, and long. If your majeſty will ſeek to break them by factions amongſt themſelves, they are covetous and mercenary, and muſt be purchaſed, and their jeſuits and practiſing prieſts muſt be hunted out, and taken from them, which now do fodder ſo faſt and ſo cloſe together: if your majeſty will have a ſtrong party in the Iriſh nobility, and make uſe of them, you muſt hide from them all purpoſe of eſtabliſhing Engliſh government, till the ſtrength of the Iriſh be ſo broken, that they ſhall ſee no ſafety but in your majeſty's protection: if your majeſty will be aſſured of the poſſeſſion of your towns, and keep them from ſupplying the wants of the rebels, you muſt have gariſons brought into them able to command, and make it a capital offence for any merchant in Ireland to trade with the rebels, or buy and ſell any arms or munition whatſoever; for your good ſubjects may have for their money out of your majeſty's ſtore that, which ſhall be appointed by order, and may ſerve for their neceſſary defence, whereas if once they be tradable, the rebels will give ſuch extreme and exceſſive prices, that they will never be kept from them: if your majeſty will ſecure this your realm from the danger of invasion, as ſoon as thoſe, which direct and manage your majeſty's intelligences give notice of the preparations, and readineſs of the enemy, you muſt be as well armed, and provided for your defence: which proviſion conſiſts in having forces upon the coaſt, enrolled and trained, in having magazines of victuals in your majeſty's weſt and north-weſt parts, ready to be tranſported, and in having ſhips, both of war and transportation, which may carry and waſt them both upon the firſt alarm of a decent; the enrolling and training of your ſubjects is no charge to your majeſty's own coffers: the providing magazines will never be any loſs, for in uſing them you may ſave a kingdom; and if you uſe them not, you may have your old ſtore ſold, and (if it be well handled) to your majeſty's profit. The arming your majeſty's ſhips, when you hear your enemy's army is gone to ſea, is agreeable to your own provident and princely courſes, and to the policies of all princes and ſtates of the world. But to return to Ireland again: as I have ſhewed your majeſty the dangers and diſadvantages, which your ſervants and miniſters here ſhall and do meet withall in this great work of reducing this kingdom, ſo I will now (as well as I can) repreſent to your majeſty your ſtrengths and advantages.

First.

First, These rebels are neither able to force any walled town, castle, or house of strength, nor to keep any, that they get, so that while your majesty keeps your army and vigour, you are undoubtedly mistress of all towns and holds whatsoever; by which means, (if your majesty have good ministers) all the wealth of the land shall be drawn into the hands of your subjects; your soldiers in the winter shall be with ease lodged, and readily supplied of any wants, and we that command your majesties forces, may make the war offensive and defensive, may fight and be in safety as occasion is offered.

Secondly, Your majesty's horsemen are so incomparably better than the rebels, and their foot are so unwilling to fight in battle, or gross (howsoever they be desirous to skirmish and loose fight) that your majesty may be always mistress of the champion countries, which are the best parts of the kingdom.

Thirdly, Your majesty victualling your army out of England, and with your garrisons burning and spoiling the country in all places, shall starve the rebels in one year, because no place else can supply them.

Fourthly, Since no war can be made without munition, and munition this rebel cannot have but from Spain, Scotland, or your towns here, if your majesty will still continue your ships and pinnaces upon the coast, and be pleased send a printed proclamation, that upon pain of death, no merchant, townsman, or other subject, do traffick with the rebel, or buy or sell in any sort any kind of munition or arms, I doubt not but in short time I shall make them bankrupt of their own store, and I hope our seamen will keep them from any new.

Fifthly, Your majesty hath a rich store of gallant colonels, captains, and gentlemen of quality, whose example and execution is of more use, than all the rest of your troupes; whereas the best men of quality among the rebels, who are their leaders and their horsemen, dare never put themselves to any hazard, but send their kerne, and their hirelings to fight with your majesty's troupes, so that although their common soldiers are too hard for our new men, yet are they not able to stand before such gallant men, as will charge them.

Sixthly, Your majesty's commanders being advised and exercised, know all advantages, and by the strength of their order will, in great fights, beat the rebels; for they neither march, nor lodge, nor fight in order; but only by the benefit of footmanship, can come on, and go off at their pleasure, which makes them attend a whole day, still skirmishing, and never engaging themselves

themselves, so that it hath been even the fault and weakness of your majesty's leaders, whensoever you have received any blow, for the rebels do but watch and attend upon all gross oversights.

Now if it please your majesty to compare your advantages and disadvantages together, you shall find, that though these rebels are more in number than your majesty's army, and have (though I do unwillingly confess it) better bodies and perfecter use of their arms, than those men, which your majesty sends over; yet your majesty commanding the walled towns, holds, and champion countries, and having a brave nobility, and gentry, better discipline and stronger order than they, and such means to keep from them the maintenance of their life, and to waste the country, which should nourish them, your majesty may promise yourself, that this nation will in the end be successful, though costly, and that your victory will be certain, though many of honest servants must sacrifice ourselves in the quarrel, and that this kingdom will be reduced, though it will ask (besides cost) a great deal of care, industry, and time.

No. IX.

Extract from the Annals of the Four Masters, relative to some of the great Milesian families, who attended Parliament, A. D. 1585. P. 80.

IN this year, a proclamation has been published by the government, requiring of the chieftains of Ireland to assemble in parliament at Dublin, in the month of May; for at this time, most of the Irish were submissive to their prince. They accordingly obeyed the aforesaid order.

In this assembly appeared the chiefs of Tirconall and Tirone: particularly Torlogh, Luinagh, O'Neill, and Hugh the son of Firdarach O'Neill, last Baron of Dungannon, but in the present parliament received under the title of Earl of Tirone. O'Donall (Hugh the son of Magnus) Maguire, chief of Firmanagh, (Cuchonnaet the son of Cuchonnaet) O'Dogharty, chief of Inisfen, (Shane og the son of Shane) O'Boyle, (Torlogh son of Neill) O'Gallagher, John the son of Tuathal.

In the same parliament appeared the chieftains of Orgial, (Ros the son of Arthur

Arthur Mac Mahon, O'Cahane (Rory the son of Magnus), chieftain of Oreach, Conn O'Neile (the son of Null og), chief of Clanna-boy, Magennis, chief of Hyveagh (Hugh the son of Donall og), O'Rorke, chief of the western Breffny (Brian na Murtha, the son of Brian Ballach), O'Riley, chief of the eastern Breffny (Shane Roc, the son of Hugh Conallach), together with his uncle Edmond, in contention with each other about the right of governing their country. The O'Farrals of Annally appeared also in this parliament, namely, O'Farral Can (William son of Donal), and O'Farrall boy (Fachtna son of Brian); the Clan-Mury chiefs of Conaught presented themselves also in that assembly, viz. Hugh O'Conor (the son of Dermond O'Conordon), Teig og O'Conor Roe, Donall O'Conor Sligoe. Brian Mac Dermott appeared also as representative for May-lurg (*i. e.* the plains of Bayle), as the chieftain of that district was disabled by his great age to appear in person, O'Berne, chief of Tirbrun on Shannon (Carbrey the son of Teige), O'Kelly of Hy-Manly (Teige son of William), O'Madden of Siol Anmead (Donall son of Shane.)

There appeared in that parliament also the Earl of Clanrickard (the son Richard), the two sons of O'Shagnuffy (John and Dermond.) For the country of Ler-Conaught appeared Murcha-na-dua O'Flaherty. From Thomond appeared Donogh (the son of Conor), Earl of Thomond, and Sir Turlogh O'Brien, elected a knight of parliament for the county of Clare; also Turlogh the son of Teige O'Brien and Macnamara (Shane), as representative of the western district of Clan culim, and Boethius Mac Egan returned one of the knights of parliament for the county of Tipperary. Ros the son of O'Lochlin, of Burren; the son also of O'Brien, of Ara (Murtagh, the bishop of Killaloe), O'Carrol of Ely (Calvagh), Mac Caghlin (Shane), the son of Arthur, O'Ducie of Coille na managh (Philip son of Othus), Mac Brian O'Guanach (Murtogh), the chieftain of Carigogonnel (Brian Duff O'Brian), O'Mulrian (Conor na meinge), Chieftain of Uathney O'Mulrian.

In the same parliament appeared a number of chiefs from South Mury, Mac Carthy Mor (Donall), Mac Carthy Cairbreach (Owen son of Donall), with his nephews by two brothers, Donall and Fingin.—Two of the Mac Carthy Chiefs also, who were in contention about the estate of Alla.—O'Sullivan of Bera (Owen son of Dermod), O'Sullivan Mor (Owen son of Donall), O'Mahony of Fun iararach (Conor), O'Drifcol Mor (Fingin), Mac Gilla

Patric

Patric of Offory (Fingin), Macgeochagan, Chief of Kenel Fiacha (Conla), O'Mulloy (Conall), Chief of Fera-kall.

Few of the Cavenaghs, O'Burns, O'Tools, O'Duns, and O'Dempseys, appeared.—Fiach Mac Hugh O'Burn, however, took his seat, as a representative for the part of the county of Wicklow he possessed, *i. e.* the glyn of Malura.

No. X.

(Page 81.)

WHEREAS the Right Honourable Garret, earl of Desmond, hath assembled us his kinsmen, followers, and friends and servants about him, after his coming out of Dublin, and made us privy to such articles as by the lord deputy and council was delivered unto him the 8th of July, 1579, to be performed, as also his answers to the said articles, which said answers we find so reasonable, as we with one accord do council and advise the said earl not to consent nor yield to any more, than in his letter is already granted; and further the said earl declared unto us, that if he do not yield presently to the performance of the same articles, and put his pledges for observation thereof, that then the lord deputy will bend his force, and make war against him. We the persons underwritten do advise and counsel the said earl to defend himself from the violence of the said lord deputy, that doth ask so unreasonable a demand, as in the said articles is contained; and for to defend and stick to this our advise and council, we renounce God, if we do spare life, body, lands, and goods, but will be aiding, helping, and assisting the said earl, to maintain and defend this our advice against the said lord deputy, or any other, that will covet the said earl's inheritance.

In witness whereof to this our counsel to the said earl, we have hereunto put our hands the 18th of July, 1578.

Garret Desmond, Thomas Lixnaw, John Desmond, John Fitz James, Rory Mac Shehey, Morrogh O'Bryan, Moriarta Mac Bryan of Lancorthe, Fa. K. E.—Fa. D. K. B. Theobald Burk, Daniel O'Brian, Richard Burk, John Brown, Daniel Mac Canna of Dumbrain, James Ruffel, Richard Fitz Edmund Girald, Ulick Mac Thomas of Ballincarrigy, Ulick Burk, John Fitz William of Karnederry, Tug O'Heyn Chairely.

Letter from DESMOND to ORMOND.

MY LORD,

Great is my grief, when I think how heavily her majesty is bent to disfavour me; and, howbeit I carry the name of an undutiful subject, yet God knoweth, that my heart and mind are always most loyally inclined to serve my most loving prince, so it may please her highness to remove her displeasure from me. As I may not condemn myself of disloyalty to her majesty, so I cannot excuse my faults, but must confess I have incurred her majesty's indignation; yet when the cause and means, which were found, and devised to make me commit folly, shall be known to her highness, I rest in assured hope, that her most gracious majesty will think of me as my heart deserveth, as also those, who wrung me into undutifulness. From my heart, I am sorry that folly, bad counsels, flights, or any other things, have made me to forget my duty; and therefore I am most desirous to get conference with your lordship, to the end I may open and declare to you how tyrannously I was used; humbly craving, that you will vouchsafe to appoint some time and place, where and when I may attend your honour; and then I doubt not to make it appear, how dutiful a mind I carry; how faithfully I have, at my own charge, served her majesty, before I was proclaimed; how sorrowful I am for my offences, and how faithfully I am affected ever hereafter to serve her majesty; and so I commit your lordship to God.

(Subscribed) GIRALD DESMOND.

No. XI.*Breve of Pope Clement VIII. to the Irish Nation. (Page 87.)*

CLEMENS Papa VIII. universis et singulis venerabilibus fratribus archiepiscopis, episcopis et praelatis; necnon dilectis filiis principibus comitibus, baronibus, populis regni Hiberniæ, salutem et apostolicam benedictionem.

Cum jam diu sicut accepimus, vos Romanorum pontificum prædecessorum nostrorum, ac nostris et apostolicæ sedis cohortationibus adducti, ad vestram libertatem recuperandam, eamque, adversus hæreticos, tuendam et conservandam,

vandam, bonæ memoriæ Jacobo Giraldino (qui durum servitutis jugum vobis ab Anglis sanctæ ecclesiæ desertoribus impositum, summo animi ardore depellere, dum vixit pro viribus procuravit :) deinde Johanni Giraldino ejusdem Jacobi Consobrino, et novissimè dilecto filio nobili viro Hugoni principi ô Neillo dicto Comiti Tironensi, Baroni Dungennaniæ et capitaneo generali exercitûs Catholici in Hibernia conjunctis animis ac viribus presto fueritis ; ac opem et auxilium præstiteritis, ipsique duces et eorum milites manu Domini exercituum illis assistente, processu temporis plurima egregia facinora contra hostes viriliter pugnando præstiterint, et in posterum præstare parati sint, nos, ut vos ac dux et milites predicti alacrius in expeditionem hanc contra dictos hæreticos opem et operam in posterum etiam præstare studeatis, spiritualibus gratiis et favoribus vos prosequi volentes eorumdem prædecessorum nostrorum exemplo adducti ; ac de omnipotentis Dei misericordiâ, ac Beatorum Petri et Pauli Apostolorum ejus autoritate confisi, vobis omnibus et singulis qui prædictum Hugonem Tironensem Ducem ejusque exercitum Catholicæ fidei assertores et propugnatores sequimini, ac illis vos adjunxeritis, aut auxilio, favore, comeatibus, armis, aliisque bellicis rebus seu quâcumque ratione eis in hac expeditione operam dederitis, ipsique Hugoni Duci, ejusque exercitus militibus universis et singulis, si vere pœnitentes et confessi, ac etiam, si fieri poterit, sacra communione refecti fueritis plenariam omnium peccatorum suorum veniam et remissionem, ac eandem quæ proficiscentibus ad bellum contra Turcas, ad recuperationem Terræ Sanctæ per Romanos Pontifices concedi solita et misericorditer in Domino concedimus non obstantibus, &c.

Datum Romæ apud Sanctum Petrum sub annulo piscatoris, die decimo sexto Aprilis 1600. Pontificatûs anno nono.

No. XII.

(Page 87.)

From the MSS. Trinity College, Dublin, being a brief Declaration to the Queen, concerning the Abuses of her Government in Ireland, particularly under the Administration of Sir William Fitz Williams, written in 1594, by Captain THOMAS LEE.

To the QUEEN'S Most Excellent MAJESTY.

UNDERSTANDING, most gracious soveraign, the proud and insolent terms the lords of the north of Ireland do now stand upon, it maketh me bold to set down my knowledge of those parts to your majesty, because I have debated often with the chiefs of them, what was fit they should yield unto your majesty; and that it was unmeet for them in any sort to condition with your highness: in the end (after long debating) they seemed somewhat to like and allow of that which I demanded, as hereafter shall appear. And because your majesty may the better judge the causes of their discontentments, I have here set down the unconsciable courses, which have been held towards them, which being remedied, and that they may see your majesty doth no way allow of the same, there is no doubt (notwithstanding all their proud shews of disloyalty) but that they may be brought to dutiful obedience, and to yield you that profit, which neither your majesty now hath, nor any of your progenitors ever had; so as they may likewise have that, which they demand, being nothing unfit for your majesty to grant. In which discourse, if any thing should seem displeasing to your majesty, I humbly beseech you to pass it over, and to peruse the rest, whereof I doubt not, but something will content your highness, for that it tendeth to your highness's service and commodity.

My meaning, whereby your highness's profit may arise, is by O'Donnel Maguire, Bryan Oge O'Rourke, and Bryan Oge M'Mahon.

The demands I made for your majesty were these, that they should receive your majesty's forces into their countries, and your laws to go current, as they did in other places, and some part of their countries to be reserved for your majesty to dispose unto them, who should govern them; and they to charge themselves with that proportion, that was fit for them to bear.

To

To those demands they all yielded; so that they might have such gentlemen chosen, as they knew would use no treachery, nor hard measures towards them, but to live upon that which your majesty would allow, and that which they would give of their free consents, and be no farther charged, and they would be as dutifull as any other country in Ireland now is. And how this may be performed, I have made bold, with your majestie's favourable liking, here to set down upon my knowledge, both how your majestie's forces may be received with their consent, and they to yield great profit in discharge of that, which your majesty allows to the foldiers, and the foldiers to be well fatisfied.

The cause they have to stand upon those terms, and to seek for better assurance is, the harsh practices used against others by those, who have been placed in authority to protect men for your majestie's service, which they have greatly abused and used in this sort.

They have drawn unto them by protection three or four hundred of these country people, under colour to do your majestie service, and brought them to a place of meeting, where your garrison foldiers were appointed to be, who have there most dishonourably put them all to the sword: and this hath been by the consent and practice of the lord deputy for the time being. If this be a good course to draw these savage people to the state, to do your majesty service, and not rather to enforce them to stand upon their guard, I humbly leave to your majesty.

When some one who hath been a bad member (pardoned by your majesty) hath heard himself exclaimed upon to be a notable thief after his pardon, and hath simply come in without any bonds, or any other enforcement, to an open session to take his trial, by your majesty's laws, if any could accuse him, notwithstanding his coming in after this manner, and without any trial at the time (because he was a bad man in times past), there hath been order given in that session for the execution of him, and so he has lost his life, to the great dishonour of your majesty, and discredit of your laws.

There have also been divers others pardoned by your majesty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majesty great service, and many of them have lost their lives therein; yet upon small suggestions to the lord deputy, that they should be spoilers of your majesty's subjects, notwithstanding their pardon, there have been bonds demanded of them for their appearance at the next sessions.

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They knowing themselves guiltless, have most willingly entered into bonds, and appeared, and there (no matter being found to charge them) they have been arraigned only for being in company with some of your highness's servitors, at the killing of notorious known traitors, and for that only have been condemned of treason, and lost their lives. And this dishonest practice hath been by the consent of your deputies.

When there have been notable traitors in arms against your majesty, and sums of money offered for their heads, yet could by no means be compassed, they have in the end (of their own accord) made means for their pardon, offering to do great service, which they have accordingly performed to the contentment of the state, and thereupon received pardon, and have put in sureties for their good behaviour, and to be answerable at all times, at assizes and sessions, when they should be called; yet notwithstanding there have been secret commissions given for the murdering of these men. They have often been set upon by the sheriff of shires, to whom the commissions were directed, in sundry of which assaults some of them have been killed, and others have hardly escaped. And after all this they have simply come, without pardon or protection, to an open place of justice, to submit themselves to your majesty's laws, where they have been put to their trial upon several indictments, of all which they have been acquitted, and set at liberty. If this be a course allowable for poor men to be handled in this manner, and to be at no time in safety of their lives, I humbly leave to your majesty.

When many notorious offenders have submitted themselves to your majesty's mercy, and have been accepted, and had their pardons, and have put in good assurances to be at all times answerable to your laws, the chiefest rebel (whose followers they were) has been countenanced and borne out by your state, to rob and spoil, burn and kill these poor men, who did thus submit themselves. When they have very pitifully complained against that arch rebel, and his complices of these outrages, they have been sharply rebuked and reprov'd for their speeches, and left void of all remedy for their losses; so as when in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected, and utterly discomfited, yet nevertheless remained dutiful subjects, although they see, that such as continue notorious malefactors, are in far more safety than they, who depend upon your majesty's defence.

For it is well to be proved, that in one of your majesty's civil shires, there
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lived an Irishman, peaceably and quietly, as a good subject, many years together, whereby he grew into great wealth, which his landlord thirsting after, and desirous to remove him from his land, entered into practice with the sheriff of the shire, to dispatch this simple man, and divide his goods between them. They sent one of his own servants for him, and he coming with his servant, they presently took his man, who was their messenger, and hanged him, and keeping the master prisoner, went immediately to his dwelling, and shared his substance (which was of great value) between them, turning his wife and many children to begging; after they had kept him fast for a season with the sheriff, they carried him to the castle of Dublin, where he lay by the space of two or three terms, and having no matter whatever objected against him, whereupon to be tried by law, they by their credit and countenance, being both English gentlemen, and he who was the landlord, the chiefest man in the shire, informed the lord deputy so hardly of him, as that without indictment or trial they executed him, to the great scandal of your majesty's state there, and impeachment of your laws. For if this man had been such an offender as they urged, why was he not tried by ordinary course of law? whereby good example of justice might have been shewed, and your highness benefited by his wealth, which they shared? But to cut him off by martial law, who was a good householder, inhabiting a civil country, always liable to law, and last imprisoned in Dublin (where all the laws of that land have their head), was in my conceit rather rigour than justice; for as martial law is very necessary, and in my opinion ought to be granted to all governors of remote and savage places, where your majesty's laws are not received, with all other authority and power severely and sharply to cut off or punish offenders, according to the quality of their offence, until such time as the people shall become civil, and embrace the law and peaceable living (for till then they are not to be governed without the like measure of justice) so to use the same, where the people are civil and obedient to their laws, is very indirect justice, administered to your majesty's poor subjects there, who, if they have once been offenders, live they never so honestly afterwards, if they grow to any wealth, are sure by one indirect means or other to be cut off.

When there have been means made to an aged gentleman (never traitor against your majesty, neither he nor any of his ancestors, and dwelling in one of the remotest parts of your kingdom) to come into your state, and that the hard courses used to others, made him demand security for his coming
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in, which hath been sent unto him by great oaths and protestations delivered by the messenger, whereof he hath accepted, and thereupon come in; yet, notwithstanding all these promised safeties, this aged gentleman hath been detained prisoner for six years, and so yet remaineth. And his imprisonment is the only colour to satisfy your majesty for a wonderful great charge, which your majesty and your subjects were then put unto; but his detaining, contrary to promise, hath bred great fear in all or most of his sort (in those parts), of crediting what your state there shall promise.

When upon the death of a great lord of a country, there hath been another nominated, chosen, and created, he hath been entertained with fair speeches, taken down into his country, and for the offences of other men, indictments have been framed against him, whereupon he hath been found guilty, and so lost his life; which hath bred such terror in other great lords of the like measure, as maketh them stand upon those terms, which they now do. When there hath been a stratagem used for the taking into your majesty's hands a young youth (the Earl of Tyrconnel), the heir of a great country, by whose taking his whole country would have been held in obedience, the practice whereof was most good and commendable; yet (after the obtaining of him) his manner of usage was most dishonourable and discommendable, and neither allowable before God nor man. My reasons are these: he being young, and being taken by this stratagem, having never offended, was imprisoned with great severity, many irons laid upon him, as if he had been a notable traitor and malefactor, and kept still among those, who were ever notorious traitors against your majesty; having no other council, or advice, or company but their's, what good could come to this young man for his education among such, I humbly refer to your highness.

The taking of him as aforesaid was most commendable, and for the good of that country, so he had been brought up in this manner: presently to have been sent to your majesty to have been instructed in the fear of God, to have known his duty to your majesty, and to have been furnished with all necessary parts for a gentleman: and as your majesty should have found his disposition, so either to have detained him here or sent him home into his country, whose good example (by his virtuous training up) might have done God and your majesty much good service in those parts. I have been the more bold to discover to your majesty the dishonourable managing of your service there, by the indirect cutting off of fundry your majesty's poor subjects, because it pleased your highness (many years since) to impart unto me, how much you abhorred to
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have your people there dealt withal by any practice, but only upright justice, by your majesty's laws and forces, which being otherwise handled, I desire to make known to your majesty, and your most honourable council, for redress thereof.

But I fear, that they who have well liked that course, and have been practisers of the same, will inform your majesty, that those people are so bad, as it is no matter of conscience to cut them off any way howsoever, which is (in my opinion) for none but tyrants and beggarly princes to imitate. But your majesty being of so great power to offend the mightiest kings of the world, and to revenge yourself upon them, may with much honour suppress your own vassals, by your highness's laws and forces, wherein you are at charge in those parts for that purpose.

These principal instruments, as the lord deputy, and they who have been his assistants in those dishonest practices, have not only used these bad means against those poor remote and savage people, but have done all their endeavours (so far as in them lay) to discomfort and discredit your majesty's best servitors, living under their commands, because they misliked to execute such unjust practices and devices, and to allow of their covetous, unconscionable, and dishonorable gettings.

I am emboldened, most gracious sovereign, to declare thus much, because, not only my poor self (one of the meanest in that place of service) have been partaker of it, but some of your majesty's chief officers also have tasted the indiscreet bitterness of the two last lord deputies, as namely Sir Robert Gardiner, in his place of justice a most worthy man, and void of all manner of corruption; and Sir Richard Bingham, in his place of government, against whom (even within his own jurisdiction) traitors have been suborned and countenanced by them; and the like in nature, though not in quality, hath been done against myself; and as for Sir Richard, there was never man in his place hath done your majesty like honourable service, without increase of charge. For my own part, I leave the report of my services to such as know it, and have seen it; yet have they not only done me injustice there, but have also used their best friends and credit here, to obscure my good deserts; and to make (as far as in them lieth) me a man to be hated of your majesty, depressing me with all their might and authority there, and crossing me with all their ability and malice here, not because I have slackened or not performed your majesty's service at any time, but for that I have afore time

and now, discovered unto your highness their dishonourable dealings and intolerable corruptions.

And I desire not that your majesty should either simply credit me this my plain detecting them, nor them in excusing themselves; but if it please your highness to appoint commissioners in that realm for the trial, if I prove not directly all that ever I have declared, let me lose your gracious favour for ever.

A great part of that unquietness of O'Donnel's country came by Sir William Fitz-Williams his placing of one Willis there to be sheriff, who had with him three hundred of the very rascals and scum of that kingdom, which did rob and spoil that people, ravish their wives and daughters, and made havock of all; which bred such a discontentment, as that the whole country was up in arms against them, so as if the Earl of Tyrone had not rescued and delivered him and them out of the country, they had been all put to the sword.

Concerning Tyrone, as your majesty hath bestowed it upon the earl, so for the better furtherance of the aforesaid services, it may please your highness to accept of his own offers, which were, that all Tyrone might be but one country; which granted, he would (upon his own charge) build a gaol and a session house, and receive a sheriff into his country, whereby your laws might be observed there.

And where the earl's adversaries have, in times past, incensed your majesty against him, for the hanging and cutting off one Hugh Gavelock, a notable traitor, and son to Shane O'Neale, informing your majesty, that the said Hugh was your majesty's subject, it shall be well proved, that he was ever a traitor against your majesty, a daily practiser with foreigners (as the Scots and others) for the disturbances of that kingdom, and one, who fought by all means to overthrow the earl, who by martial law (which he then had) did cut him off for his offences. For the doing whereof, he did incur your highness's displeasure; and the said martial law, which kept that whole country in awe, was taken from him; the want whereof has made his country people grow insolent against him, and careless of observing any humanity or duty, which hath bred the outrages now in practice, so that (in my poor opinion) it were requisite to restore the same authority unto him, provided it should not extend to the cutting off of any, but such malefactors, as shall be of his own country, his tenants, and followers; and I dare say, he may every year
hang

hang 500 false knaves, and yet reserve a great stock to himself; he cannot hang amis there, so he hangs somebody.

For the performances of the services in those aforesaid countries, it is not O'Donnel, Maguire, Brian Oge Mac Mahon, nor Brian Oge O'Rourke, nor any of those four, who must be dealt withal, for they are all traitors and villains, and most obstinate against your majesty; but the foundation must be laid upon the Earl of Tyrone, to draw him by any reasonable conditions unto your majesty, that you may have conference with him, and as he is made by your majesty a great man there, so may he be also a special good member in that commonwealth, to redress and remedy many great disorders, which no doubt he would faithfully do, if he might be trusted; for what maketh a man honest but trust?

And whereas some affirm, that he standeth upon a pardon for himself and his followers, I think not so; for he and they hold themselves in less safety thereby, than they were before, because they have seen pardons serve (in their conceit) rather for traps to catch others in, than for true and just remission and acceptance into the free benefit of subjects, which maketh him fear the like practice towards himself.

For whom, although I have undertaken at my first coming, that he should have performed as much as I then delivered on his behalf to your majesty, how I dare engage my credit so far from him, because it is long since I saw him.

But if it please your majesty to send me unto him, with encouragement and protection immediately from your majesty, that he shall come to your lord deputy there, and to your highness here in safety, to come and go without impediment or stay of his person, I doubt not but to bring him and his son (whom I would wish to be detained, but as himself shall like of) and whatsoever he undertaketh to the lord deputy, coming in after this manner, there is no doubt of his performance: I know his adversaries, who never were such friends as they might have been to the common weal of that kingdom, will be earnest with your majesty against this, and that it is a great dishonour to you to grant it; but it will be proved, by their testimony, who live there, how greatly it shall advance your majesty's service in this dealing with him, who hath heretofore served faithfully and valiantly, and hath therefore well merited, and shall save the lives of your highness's subjects, and the expence of much of your treasure.

They who will be against this, have those many years suffered notorious traitors, namely, Feagh M'Hugh, and the bastard Geraldines, mightily to dishonour your majesty, in the very view of your state; and with that base rebel and his adherents they will deal, as it were by way of intreaty, to accept of protections, which is as much dishonour to a prince of your excellency and greatness as may be, so to condition with such beggarly objects, as have neither power nor wealth, and yet are noted here to be great and dangerous men to your state there.

If there go not some speedy contentment to the earl, to stay all this expected fury, which is like to happen, but that there must be present wars made upon him and his adherents, your majesty shall take them in hand at a very unfit time, when they are thoroughly provided to do great mischief, and your majesty not so provided to defend your poor subjects from their sudden force and fury.

Your majesty, since you were queen, never had so great cause to bethink you of the service of that place, as now you have. Your highness shall not get so great honour in cutting off him, and thousands of those bare people that follow him, as you shall to win him, and them to be good and loyal subjects, and to live and serve your highness for good offices. As the case now standeth with the earl, he hath small encouragements to be otherwise than he now is.

For where it was your majesty's pleasure he should have great encouragement given him, by thanks for his last good service against Maguire, it was held from him, and instead of that, they devised all means and policies to aggravate matters against him to your majesty, which is credibly made known unto him; and more, that upon what security soever he shall come in, your majesty's pleasure is to have him detained. How he hath these advertisements from hence, I know not; but your majesty is, or shall be informed, that he and his lady are Papists, and foster seminaries, &c.

True it is, he is affected that way, but less hurtfully and dangerously than some of the greatest in the English Pale; for when he is with the state, he will accompany the lord deputy to the church, and home again, and will stay and hear service and sermon; they, as soon as they have brought the lord deputy to the church door, depart, as if they were wild cats, and are obstinate; but he, (in my conscience) with good conference, would be reformed; for he hath only one little cub of an English priest, by whom he is seduced,
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for want of his friends access unto him, who might otherwise uphold him.

There hath been an old dunfical demand in taking pledges of such, as are held dangerous men to your majesty's state there. I make bold to give that term, because there is no one, who hath known your service of Ireland longest, who can set down and prove, that ever Irishman was held in obedience by his pledge: if any can, let me lose my credit for ever. I am able to set down of my own knowledge, almost by twenty years experience, in which time I have seen many pledges taken for the Irishry, for retaining them in obedience, the father for the son, the son for the father, the brother for the brother, and many other of the like nature; when they have taken their times, nevertheless, without any regard of pledge, to play the traitors against your majesty at their pleasure. For when they neither fear God, nor be careful of their duty towards your majesty, nor fear your force to reform them, your majesty may be assured, it is not their pledges, that can hold them in obedience. Your majesty, therefore, may (in my opinion) do well to let no such demand be made of them, but when they shall give cause of offence, let them be thoroughly followed with your forces, and plagued in such sort, as may make them afraid to offend you. For the less your majesty shall esteem them, the more obedient you shall have them; and by this course your majesty shall save a great deal of charge for the diet of such as they put in for pledge.

And when there was credible report made, that the Earl of Tyrone came in to the lord deputy, without pardon or protection; I assure myself, your majesty shall find he came in upon the credit of your state, although in policy he might be willed to give out otherwise, and no doubt, but such as have often mistaken his actions, and intents, would make an open demand of him, how? And he perhaps answer them, without protection; and upon this his answer they might be very importunate with the lord and the council, that he might be detained for great matters of treason, wherewith they had to charge him, which demand of theirs being refused, it is not unlike but they would either write to your majesty, or to their friends here, to inform your majesty how provident they were to have him safe kept, and yet their cares and offers were neglected.

Let those devices of theirs take effect, or otherwise, to have him cut off, your majesty's whole kingdom there would moan it most pitifully, for there was never man bred in those parts, who hath done your majesty greater service than he, with often loss of his blood upon notable enemies of your majesty's;

majesty's; yea, more often than all the other nobles of Ireland. And what quietness your majesty had these many years past in the northern parts of that kingdom, its neither your forces there placed, (which have been but small) nor their great service, who commanded them, but only the honest disposition and carriage of the earl hath made them obedient in those parts to your majesty. And what pity it is, that a man of his worth and worthiness shall be thus dealt withal by his adversaries, (who are men who have had great places of command) and neither they, nor their friends for them, are able to set down, they ever did your majesty one good day's service, I humbly leave to your majesty.

If he were so bad, as they would fain enforce, (as many as know him and the strength of his country, will witness thus much with me) he might very easily cut off many of your majesty's forces, which are laid in garrisons in small troops, in divers parts bordering upon this country; yea, and over-run all your English Pale, to the utter ruin thereof; yea, and camp as long as should please him, even under the walls of Dublin, for any strength your majesty yet hath in that kingdom to remove him.

These things being considered, and how unwilling he is (upon my knowledge) to be otherwise towards your majesty than he ought, let him (if it please your highness) be somewhat hearkened unto, and recovered (if it may be) to come in unto your majesty to impart his own griefs, which no doubt he will do, if he will like his security. And then, I am persuaded, he will simply acknowledge to your majesty, how far he hath offended you; and besides (notwithstanding his protection) he will, if it so stand with your majesty's pleasure, offer himself to the marshal (who hath been the chiefest instrument against him) to prove with his sword, that he hath most wrongfully accused him. And because it is no conquest for him to overthrow a man ever held in the world to be of most cowardly behaviour, he will, in defence of his innocency, allow his adversary to come armed against him naked, to encourage him rather to accept of his challenge.

I am bold to say thus much for the earl, because I know his valour, and am persuaded he will perform it; and what I have spoken of him, over and above this, these reasons have led me to it.

Being often his bedfellow, he hath divers times bemoaned himself, with tears in his eyes, saying, if he knew any way in the world to behave himself (otherwise than he hath done) to procure your majesty's assured good opinion of
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of him, he would not spare (if it pleased you to command him) to offer himself to serve your highness in any part of the world against your enemies, though he were sure to lose his life.

And as he hath in private thus bemoaned himself unto me, so are there many eye witnesses here in your highness's court, who have seen him do no less openly; which tears have neither proceeded from dissimulation, nor of childish disposition, (for all who know him will acquit him thereof) but of mere zeal unto your highness, and grief and fear to lose your favour, whom he desireth with life, and all he hath, most dutifully and loyally to serve.

Whereas I have taken upon me to nominate gentlemen as fittest to be employed in the above-mentioned services in those remote places, I know there will be great exceptions against them, because they are thought to be too near friends to the earl. But I will prove, that none can ever do your majesty such good service there, as they who have been always trained up in those parts in service, and are best acquainted with the earl and the other lords of the countries. And I am of opinion, if it were demanded of the earl and the rest, they had rather have strangers placed in those parts, than those gentlemen of their acquaintance; because these, in any outrages in these countries, dare trust the earl with themselves and their small troops, to be aided by him, whereof they should not fail; when strangers would be loth and fear so to do; for their trust will procure the earl and his followers, to undertake and perform with them, whatsoever they shall require for your majesty's service.

And what is it to your majesty, to lay upon the earl the trust and credit of settling your majesty's forces in those parts, and to give him your majesty's free protection to come in, without fear, from time to time, to answer to any thing that shall be objected against him, and to retire home again? And if it shall at any time happen, that he shall so offend, as to deserve punishment, then your majesty is to prepare your princely forces, and make royal war upon him, letting him sharply taste what it is to offend so gracious and great a prince.

And likewise the rest of the lords of those countries, are (upon the receiving in of your majesty's garrisons, and paying the duties and compositions before specified) to have the like measure offered them.

I am the bolder, most gracious sovereign, to set down this my opinion for managing those remote places, and preventing these present expected troubles;

bles; because I have been an eye witness of a needless and chargeable war held against one of the lords of the north, namely, Surleboy, a Scot, which war ended not by your majesty's forces, but by the loss of that rebel's chief instrument, his son Alexander; yet were the said traitors intreated to accept of their pardon, and had more bestowed upon them for playing the traitors, than they demanded before. And my fear is (if this expected fury shall follow to be wars) it will fall out to the like or a worse issue; for he, who doth now oppose himself against the earl, was the chief commander then, and did most dishonourably perform it, as shall be apparently proved, when it shall please your majesty to appoint.

I have heard, many think much, that the earl performed not his promise with the new lord deputy, but they little consider what slender encouragement he had given him at his coming in to do it. If he found, as like he did, in what great peril he was to be detained, as, notwithstanding the assurance whereupon he came in, if his adversaries' credit would have place, he had been restrained. There was no likelihood of his performance of any thing he then undertook, because he saw himself in so great peril; neither is it like, he will hereafter hazard the like. But, if his promise be expected to be performed, then, I think, he desireth good assurance, first, of his own safety, whereupon there may be hope he will effect all promises, good offices, and services, for the good of that poor kingdom, and till then there is nothing to be expected from him but doubt, and preparation to defend himself, and offend greatly.

When your majesty's garrison-soldiers were first planted in the county of Monaghan, there was great service offered to Sir William Fitzwilliam by Sir Henry Duke, for his sitting down at the Abby of Cloonis (whereof he is farmer) with his own company of light foot, and fifty of your highness' garrison-soldiers, and to have discharged your majesty's of all manner of victualling charge, only to have been monthly fully paid their entertainment; and at that time there were at the same abby good and defensible buildings to succour your majesty's garrison, which are defaced and pulled down by the traitors, for fear they should serve for that purpose. If this offer had been accepted, it had greatly furthered your majesty's service now, and peradventure had prevented, or at least hindered the troubles now expected, because it is so near upon Maguire's country, and the stay of his passage to the English Pale.

Not-

Notwithstanding it much imported, that this service should have been hearkened unto, yet Sir William Fitzwilliam's malice at that time was so extreme against Sir Henry Duke, who no doubt would have performed it as effectually, as he offered it, he utterly rejected it; even as he did the like and many greater services, offered by other your majesty's good servitors there.

His greedy desire at that time in respect of his own gain, made him careless of these offers, and of those good servitors, who would freely offer themselves; he esteemed best of the baser sort, as of one Willis, and such as he was, whom he made captains and officers in the Irish countries, who with their great troops of base rascals behaved themselves so disorderly, as made the whole country to rise in an uproar and to drive them out, which advantage given by those bad and lewd fellows to the ill-disposed Irishry, hath emboldened them ever since to stand in no fear or subjection of your highness' state, or forces there. These, and many the like services, as bad, or worse, did Sir William Fitzwilliam whilst he had authority in that place.

Although many needless journies were made by Sir William Fitzwilliam, which were both chargeable to your majesty, and troublesome to your poor subjects, yet was there one into the province of Conaught, which was very necessary, and grounded upon probable reason, determined for the cutting off and utter banishing of the traitor O'Rourke, and all his confederates; which service could not be performed without the assistance of the Earl of Tyrone, who was sent unto before the journey was undertaken. The messenger was one belonging to your highness' council there, a friend of Sir William Fitzwilliam's, and one well-affected by the earl, who declared to him the cause of his coming down, to be for preparation against O'Rourke, and what the lord deputy's demand was, that the earl should perform therein. The earl most honourably (as he had often times before) undertook to perform as much as the lord deputy then required, returning the said messenger very well satisfied; for he sent the lord deputy word, he would be ready to attend the service with one thousand men at the place appointed, and more he would have brought, if he had more time, or sooner warning. The place to him assigned was on the border of Tyrconnel, on that side of Laugharne towards Conaught, there to stop the passage, that O'Rourke with his companies and creatures should not that way escape into those parts, which he well liked of and promised so to do, adding further, (if it pleased the lord deputy to command him) he would break a ferry with his forces into O'Rourke's country,

4 F and

and either drive him out, or deprive him of life, and prey his whole country, and do great service upon all O'Rourke's adherents. This answer of the earl's seemed to satisfy the lord deputy very well, who prepared your majesty's forces forthwith, and sent word to the earl to be in readiness upon six days warning.

The lord deputy took with him all your highness' garrison, the raising out of the Pale as many as he thought fit, and went onward his journey, giving out, (because the rebels should not suspect) that it was only to see sessions and assizes duly kept in Conaught, and sat in divers places accordingly, inasmuch as at length he came to Sligo, which joins upon O'Rourke's country, where he abode four or five days, with all his forces, being sufficient to execute upon O'Rourke, and the other traitors, as much as he had before determined; the earl all this while expecting when he should be called to that pretended service, kept all his forces ready together for that purpose, which was no small charge for him. But as it fell out afterwards, Sir William (as it seemed) had no such intention; for upon a sudden he departed from Sligo, journeying quite cross the whole province of Limerick, leaving O'Rourke's country at his back, doing no service, but charging the poor country (whereof as then it had little need) imposing the performance of all this expected stratagem of Sir Richard Bingham, with some of the garrison to assist him, who most honourably and painfully prosecuted the said proud traitor upon his feet, to the great endangering of his life by the disease of that country, which caught him in the pursuit of that traitor, whom he then drove out of his country, by which means he was afterwards sent to have his deserts here in England. Which exploit (if it had been performed as it was plotted by Sir William Fitzwilliam) O'Rourke had perished there, and all those traitors which are now assistants to his son, had then been cut off.

It may please your majesty likewise to be advertised, that divers persons have been, for their offences, pardoned by your majesty, and thereby emboldened to frequent all places without fear, having been apprehended and committed straightway to prison, without any cause given (since their pardoning) whereof law might take hold, they have offered very sufficient bail, which hath been refused, and they detained, because they in times past, were bad, (for which they were pardoned) or for fear they should be bad in time to come. And being thus kept severely in prison many years, they have at length made friends there, and by great sums of money here, purchased their
pardon

pardon from thence, whereby they have been enlarged. Now, when they obtain their liberty by these money means, and not by the justice, which your majesty's laws allow them, they think themselves very hardly used: and others thereby become doubtful and afraid to trust to their pardons; supposing, if they want such friends and such means, they shall be either indiscriminately cut off, or else for ever kept in prison upon suggestion or surmise. But if they might perceive, that it is not your majesty's pleasure to have them thus handled, and that none should lie in prison without receiving trial by your highness's laws, if their cause so required, or else upon good sureties to go at liberty, by either of which means they may enjoy the benefit of your gracious laws, even as your good subjects, which never offended, no doubt it would free them from great fear and suspicion and make them more dutiful than ever they were.

There is one prisoner in the castle of Dublin; an aged and impotent gentleman, of whom (if it be to your highnesses good pleasure) I desire your majesty shall take notice, his name is Sir Owen Mac Toole: one who was never a traitor against your majesty, nor never in any traiterous action: but so good a subject and so faithful a servitor as (for his deserts) he had a pension from your majesty, whereof Sir John Perrot bereft him. This gentleman was sent for by promise and assurance from the state, that he should not be abridged of his liberty; contrary whereunto he was committed unto prison, where he hath remained these eight years, for whose enlargement all bail hath been refused. Yet is the gentleman of so great years, as he is not able go, and scarcely able to ride: for which respects and for the state's promise, (methinks) he ought to find favour, moreover he is pledge for no man: if he were, pledges profit nothing, as before I have rehearsed. He is father in law to the Earl of Tyrone: and if the earl recovers your majesty's favour, how highly your majesty shall honour yourself by bestowing this old gentleman's liberty upon the earl, and how much your majesty shall provoke the earl to acknowledge your highnesses favour therein, your majesty may easily judge, and they who know the state of that kingdom can inform. But if the earl be not so happy to obtain such grace at your majesty's hands, yet it may please your majesty graciously to regard the poor aged gentleman, that upon good sureties he may have his liberty, for which I know there would be five hundred pounds given: though he can by no means feed them in any bad practice against your majesty's state there, neither in body nor council,

neither can his imprisonment stay any of his friends from doing evil, if they be badly disposed: if therefore your highness will be pleased to release him of your own princely motion, he putting in sufficient sureties within the English pale, to be ever ready within twenty days to answer to whatsoever may be objected, you shall bind him (as his bounden duty) always to pray for your highness, and mightily encrease the affection of your majesty's people.

For the due reformation of all the disorders in that poor realm of Ireland, and the execution of what worthy action soever shall be by your majesty, and your honourable council here determined, and for recovering the honour of that state, which former governors there have lost; your majesty, in judgment, hath made most excellent choice of the now lord deputy, a man accompanied with all necessary parts both in body and mind, as I doubt not but his service shall hereafter give good testimony, although he have received the sword in a far more troublesome and dangerous time, than any of his late predecessors ever did. For neither the last Desmond's wars, nor those of Connor's and the Moor's, being both put together, are comparable to that, which is now expected, if it prove, wars; which I desire (if it be God's will and your majesty's good pleasure) may be otherwise, not for my private affection for any in the north, but for the public good which I wish to that poor kingdom.

For the benefit whereof, and for the performance of all such honourable services, as are now expedient to be done, and all the rest before in this declaration mentioned, it is your majesty, who must not only direct him, but also thoroughly enable his lordship, that he may give better encouragement to your majesty's soldiers, to take pains in your highness's service, than they have had, or yet have; because they daily see, that he who never served your majesty in those services, shall come to far better preferment in that place, than the best commander or serving servitor there. Besides you cannot get that done, which they do, who painfully, and faithfully serve.

What encouragement then can a man have to offer himself in the wars of that country, who shall neither get honour, reward, nor payment for his labour? I speak by experience of myself, who (upon my credit) have not had ten crowns imprest of my own private pay, those ten years, to furnish me towards your majesty's service, when I was called upon, and yet I have made one at all times.

When such hard measure then is offered unto captains, I humbly refer to
your

your majesty, what encouragement they can have to go to the field. Although without money or any thing else, they will do their best endeavour, with their substance, and themselves, to do your highness's service; because I know (and so do all the rest) that it is not your majesty's pleasure to have them so discouraged, but the fault is in them, who have been thither sent as deputies, who have preferred their own gain before your highness's honour and service, or the just reward of such as have most truly and painfully served, and for that would please such cowardly captains, as were their instruments to bring them in cows, to convert into angels, to cram their greedy purses; whom I have a better will particularly to name, than thus generally to write of, if I were persuaded, your highness would thereupon discard them: and I know they would not challenge me, because I do them no wrong.

To encourage, therefore, your majesty's soldiers, and to furnish the lord deputy against all accidents that may happen, if it may please your majesty, that all the treasure, which is sent over into that realm at sundry times, may be entirely sent at one time, with commandment, that your majesty's whole garrison may be fully paid every month, your majesty should be most honourably served, and the soldiers well contented, and the subjects not occasioned to exclaim for want of payment for the soldier's diet, when both captains and soldiers should have in their purses to satisfy that, and to furnish themselves with all other necessities.

For notwithstanding your highness's garrison hath been so slenderly paid these many years, your majesty hath not saved any thing thereby, but it hath enriched a sort of base clerks, and beggarly merchants, who will not credit a captain now for a groat upon his bill; but all the commodity goeth to the lord deputy, the clerks, and the merchant; so as the captain, to furnish his company, can get no money unless he will give 400 for 200, or 200 for 100, and after the like rate; and in this prowling manner your soldiers are paid.

Forasmuch as your majesty doth pay all in the end, you may (if it be your highness's pleasure) as well benefit your captains, and soldiers, as other men's clerks, by sending an overplus of treasure to the lord deputy, to pay the old debt due only to captains and soldiers, which few thousands will discharge; except it be to one man, unto whom your majesty oweth five or six thousand pounds, which (if it be your highness's pleasure) may with safe conscience, be detained in your hands, because he hath so ill deserved, through the dishonouring your majesty in the place wherein he serveth.

And

And now (most gracious sovereign) for that (as I have heard) it hath been credibly reported to your majesty, that the last Desmond's wars did cost but 40,000 pounds, thereby the rather to induce your highness to make wars upon the north, I have thought it my duty (under your majesty's protection) to set down the truth thereof, whereby it may the more easily be judged what the charge of these expected troubles may stand your highness in, by comparing the said Desmond's wars and these together.

The charge of those wars to your majesty was high, notwithstanding the great supplies then had of your subjects, and the great succour and assistance of sundry castles and good towns, which held firm and faithful to your majesty to receive and aid your soldiers upon all extremes, which towns and castles stood in most commodious places, not only to annoy, but utterly, in a manner, to overthrow the traitor, and all his co-partners. And where it cost your majesty then one pound, it cost your subjects three, during all the time of those wars, which charge of your subjects I can well make out; for the chief lord of one small village, who had but eight pounds yearly rent for the same village, paid for one year's cost to your highness's soldiers thirty-eight pounds sterling, whereof I was also an eye-witness. These wars, I say, did stand your majesty in fourscore thousand pounds at the least, for the monthly charge was seven thousand pounds, besides the victualling by sea. And yet after all this, your majesty afforded pardon to the basest rebel, who then took arms against you, who yet liveth in view of your state.

The cause of those Desmond's wars, was even like to this in the north, through the great mistaking of the Desmond's adversaries; and that it cost your majesty no less than I do here set down, Sir Henry Wallop can well testify.

Moreover, there are no helps to be hoped for in the north, either of castles or towns, within to garrison, or once lodge your majesty's soldiers, for the following and suppressing of those traitors; for those parts are merely void of such refuge. Again, all the friends to your highness in those countries are but two, O'Hanlon and Maginnis, and they uncertain, as your majesty may thus judge; for O'Hanlon is married to the earl of Tyrone's sister, and merely enriched by the earl; Maginnis, his eldest son, is to marry the earl's daughter. And this affinity, in the manner of the Irish, is always to the party they see strongest; and when your majesty (as there is no doubt) shall prevail, they will then seek favour, and make offer of much service, but seldom

dom or never perform any, whereof myself have been too often a witness. These things considered, it may please your majesty, and honourable council, to be rightly and thoroughly advertised, before there be wars made in the north parts, whatsoever by sinister informations may be suggested to the contrary.

For it is not the north only your majesty shall now have to deal withal, but your highness's whole province of Conaught shall be in great peril of losing, except Sir Richard Bingham be more strongly enabled or assisted than he now is, trusting to only one band of 100 foot and 50 horse, wherewith I confess he hath done great service. Knockfergus, and the Clanboys, which are now garrisoned with only 100 foot and 25 horse (who have done your majesty no service by reason of such bad commanders, as have been appointed over them), cannot but be lost without a very great garrison, and exceeding great charge, so that your highness's realm of Ireland being now (as it were) divided into four parts, viz. Leinster, Munster, Conaught, and Ulster, will be in very great danger to be half lost; for Ulster is the earl's already, and in Conaught there are divers, who have been traitors not long since (and yet scarce good subjects), who watch but such an opportunity. And in Leinster there are many, who now stir not, who will then rise in arms, namely, the Birns, the Tools, the Moors, the Connors, and the Cavenaughes, and many other false traitors as those, who (if they once perceive troubles to increase in the north) will seek to molest and offend the English pale, as they have done in times past.

And one special matter more is to be thought upon, where your majesty, in all the wars of Shane O'Neale, had Tyrconnel faithful and ready to do your highness service, and to assist your soldiers, giving the traitors many overthrows (being then an utter enemy to all the Neales); now it is not so, for O'Donnel is married to the earl of Tyrone's daughter, and is thereby so linked to him, that no place of succour is left to your majesty's forces in all the north; for Sir John O'Dogherty (who was well affected to your majesty's service) is now in hold under O'Donnel, so as no aid is to be expected from him. This poor gentleman hath been hardly used on both sides; first, by Sir William Fitzwilliam, who imprisoned him, in hope to have had of him some Spanish gold; and now by O'Donnel, because he shall not in these troubles annoy him.

To write of all other particulars belonging to the north, would be over tedious.

dious. To conclude therefore (with your majesty's pardon) there are but two ways, either to accept of their own offers of submission and contribution, for defraying of the charge, in this discourse especially before mentioned, and so to place your majesty's garrisons in their countries, thereby to hold them in continual obedience to your highness's profit, or else to make royal war upon them, and so utterly to overthrow and root them up, through all the whole north of that kingdom, and plant others in their room or places. I may in no wise omit humbly to acquaint your majesty, what great hindrance unto your present service the stay of Sir Robert Gardiner his coming over is like to be, because that he can best truly report to your highness the state of Ireland, who (as he was specially chosen by your majesty to be a chief instrument for the good of that poor kingdom, where he ever did, and doth minister such upright justice, as is void of bribery, affection, intreaty of friends, or fear of authority to over-rule him to do any thing unfit for a man of his place) can very hardly be spared from thence; yet, the necessity of this time importeth, it were (under pardon) most meet he were sent for with all speed; for that (as he can) so well, without fear of any, inform your majesty truly how the state of that your kingdom now standeth, and shew good means how to stay this expected present fury, that is like to happen, to the utter ruin and cutting off many of your majesty's subjects, and the exceeding expence of your highness's treasure. There will be (no doubt) many reasons alledged to your majesty to stay him there, but I humbly beseech your highness not to harken to them, for the authors of these troubles are afraid of his coming thither. But his instant repair over will more avail him than his stay there, although it is well known he doth (as far as his authority extendeth) afford the people justice, without begging it or buying it, which hath been too often bought and sold there. And your majesty may at pleasure return him hither again when he hath done exceeding good service there: although I fear he will be loath (if either his own credit or friends may prevail) to go back thither any more, because he seeth he is not able to do your majesty such good service, as he would and might, if he were more strongly assisted; moreover good deserts there, procure scarce good opinion, or friends here.

What I mean to say thus much, when it is not to be amended, nay what pity it is, that so gracious a prince, as is your majesty, cannot help it. For these many years past your poor subjects have been crying out for justice, and

and could never get it; besides it's grown to such gain by corruption, that unless your majesty vouchsafe to take upon yourself, or make special choice of some of your honourable council here to look into it, it will not be holden; for if it be referred (as it hath been) there will be such shuffling, and so much time spent, as to save the credit of some one, that thousands of your majesty's good subjects shall perish the while. And the rather because advice is chiefly required of him, who is causer of all these troubles; and that your majesty may the better judge what good can follow by his directions, let him set down what service he did you, when he had the whole authority in his own hands, whereby your highness may discern the rest. I know (and thereon dare pawn my life) he cannot prove any one honourable or profitable service he did your majesty therein, at the time of his government. Opinion is likewise required of some other counsellors now here, who can say as little of those northern parts, as he who was never there.

This being most true, let not (I humbly beseech your majesty) your poor realm of Ireland be trusting to the advice of such blind advisers; but vouchsafe your highness to be advised by those, who know your service there, by their own experience, and eye-witness of that, whereof they shall yield their opinion; and no one (of a counsellor) can do it better than Sir Robert Gardiner, because his circuit is northward, whereby he doth hear the griefs and discontentments of those people.

Moreover, I must beseech your majesty to be no longer abused by lip-labour, and paper and ink; which have, these many years, gone for current payment, instead of good service, and in show of discovering great and weighty causes, when in truth they seldom tend to any such purpose; but seeing your majesty doth pay them so well, it may please you to require better service at their hands, whom your highness doth there put in trust.

If I have in this my plain and simple discourses offended your majesty any way, I most humbly ask pardon for the same.

As the physician cannot cure the disease of his patient, until he both know and take away the cause thereof, so neither are the calamities of your majesty's kingdom of Ireland to be remedied, until your majesty be both rightly advertised of the same, and put in practice the redress of the great abuses there, which cannot be better done (in my simple skill) than by making an example of some one, who has served your majesty corruptly in that place; and the greater the personage is, the greater the justice, and the more your

honour in making a precedent of such a one: for your inferior officers can punish small offenders, but it is in your majesty only to correct the mighty transgressors.

There is no well-advised captain will make offer of service, but he hopeth to perform or lose his life; and especially when he shall not gain thereby; for his soldiers must be paid, or else they will not serve; besides he must keep them, or else he cannot effect the service undertaken, so that his only hope of gain resteth in reputation, reward, and preferment from your majesty, as he shall deserve, and not in polling and pilling the soldiers and your majesty's subjects.

These good services then being accepted, and the abuses reformed, there is no doubt but your majesty's kingdom of Ireland shall quickly flourish in true subjection and due obedience to your majesty's honour and comfort; which I beseech the Almighty to grant and continue.

The considerations (most gracious sovereign) of my own estate, who have engaged myself and my friends very far, for means to live, and do your majesty service, hath many times (in the penning of this discourse) fought to withhold me from discovering to your highness these causes of discontentments of your poor people in that kingdom, and the bad managing of your majesty's affairs there, with the means of quieting them, of advancing your majesty's service, and advantaging your revenues, assuring myself, that the doing of such an office would neither procure me any friends, nor pay any of my debts: besides, its against my profession (being a soldier) to be a penman, or so earnestly to seek for peace. Yet, nevertheless, when I considered what due honour may be unto God, what true service to your highness, and what good to that poor commonweal, it made me utterly neglect my own fortune, and respect of my private benefit, and emboldened me to discharge my duty to God and your majesty, and disclose my zeal for benefiting that poor realm. And if these my labours shall be rightly conceived of by your majesty, and your most honourable council, I shall think my time happily spent, and enjoy as much as I desire.

And thus, most humbly beseeching pardon for this my bold and rude discourse, and praying on my knees to Almighty God, the director of all princes hearts, that it may please him to move your majesty's mind duly to consider of the premises, and pitifully to regard the present state of that your poor kingdom, and beseech him to bless your highness with all honour, health and princely

princely happiness, long to reign over us, I most humbly conclude with this my petition.

I humbly beseech your majesty, if it be your gracious pleasure to accept the Earl of Tyrone into your highness's protection, that he may safely come in unto your majesty, or to your lord deputy, and hither at your pleasure, that I may be the messenger; because at my coming over he reposed great trust in me, to deliver unto your majesty those things, wherewith he found himself grieved, wherein I doubt not but to do your highness acceptable service, by reason of the poor credit I have with him. But if your majesty be minded to deal otherwise with him (because it hath been reported by those, who are adversaries both to him and to me, that I am a great friend unto him) to show what manner of love mine is towards him, there is none of them, nor any other, who shall do greater service than I will, if it please your majesty to command me, and enable me fit for it; if not, my service and myself, rest at your highness's command to be disposed, as it shall please you, for whom, as is my bounden duty, I will daily pray, &c.

Your Majesty's faithful

And obedient Servant,

THOMAS LEE.

No. XIII.

The anonymous Letter, upon which the Rebellion of Tyrone and Tyrconnel was founded. (Page 104.)

THE import of the letter was as follows, "That he was called into company by some Popish gentlemen, who, after administering an oath of secrecy, declared their purpose to murder or poison the deputy, to cut off Sir Oliver Lambert, to pick up one by one the rest of the officers of state, to oblige the small dispersed garrisons by hunger to submit, or to penn them up as sheep to their shambles. That the castle of Dublin, being neither manned nor victualled, they held as their own, that the towns were for them, the country with them, the great ones abroad and in the North prepared to answer the first alarm, that the powerful men in the West are assured by their agents to be ready as soon as the state is in disorder.

“ That the Catholick king had promised, and the Jesuits from the Pope had
 “ warranted men and means to second the first stirs, and royally to protect
 “ all their actions. That as soon as the state is dissolved, and the king’s sword
 “ in their hands, they will elect a governor, chancellor and council, dispatch
 “ letters to King (James I.) trusting to his unwillingness to embark in such
 “ a war, and to his facility to pardon, would grant their own conditions of
 “ peace and government, with toleration of religion: that if the king listen
 “ not to their motions, then that the many days spent in England in debates
 “ and preparations would give them time enough to breathe, fortify and
 “ furnish the maritime coasts; and at leisure call to their aid the Spanish
 “ forces from all parts.” The writer of the letter declares, “ That he inter-
 “ posed some doubts on them, which they readily answered, and he pretended
 “ to them to consent to further their projects, and that he took the method
 “ of this letter, to give notice of their designs, though he refused to betray
 “ his friends, in the mean time he would use his best endeavours to hinder
 “ any further practices.” And he concludes, “ That if they did not desist,
 “ though he revered the Mass and Catholick religion equal to the devout-
 “ est of them, yet he would make the leaders of that dance know, that he
 “ preferred his country’s good, before their busy and ambitious humours.”

No. XIV.

BY THE KING.

A Proclamation touching the Earls of Tirone and Tirconnel. (Page 104.)

SEEING it is common and natural in all persons of what condition soever,
 to speak and judge variably of all new and sudden accidents, and that the
 flight of the Earls Tirone and Tirconnel, with some others of their followers
 out of the North parts of our realme of Ireland, may happily prove a subject
 of like discourse; We have thought it not amiss to deliver some such matter
 in publique; as may better cleare men’s judgments concerning the same;
 not in respect of any worth or value in these men’s persons, being base and
 rude in their originall, but to take away all such inconvenience, as may ble-
 mish the reputation of that friendship, which ought to be mutually observed
 betweene

betweene us and other princes. For although it is not unlikely, that the report of their titles and dignities, may draw from princes and states some such courtesies at their first coming abroad, as are incident to men of some extraordinary rancke and qualitie: yet, when wee have taken the best meanes wee can to lay them open in every condition, wee shall then expect from our friends and neighbours all such just and noble proceedings as stand with the rules of honour and friendship, and from our subjects, at home and abroad, that duty and obedience (in their carriage toward them) which they owe to us by inseparable bonds and obligations of nature and loyalty, whereof wee intend to take streight accompt. For which purpose, wee do hereby first declare, that these persons abovementioned had not their creations or possessions in regard of any lineall or lawfull descent from ancestors of blood or virtue, but were onely preferred by the late queen our sister of famous memory, and by ourselves, for some reasons of state before others, who for their qualitie and birth (in those provinces where they dwell) might better have challenged the honours, which were conferred upon them. Secondly, wee do profess, that it is both knowen to us and our counsell here, and to our deputie and state there, and so shall it appear to the world (as cleare as the sunne) evident proofes, that the onely ground and motive of this high contempt in these mens departure, hath been the private knowledge and inward terrour of their owne guiltinesse; whereof, because wee heare, that they doe seeke to take away the blot and infamie, by devulging that they have withdrawn themselves for matter of religion (a cloake that serves too much in these dayes to cover many evil intentions), adding also thereunto some other vaine pretext of receiving injustice, when their rights and claims have come in question betweene them and us, or any of our subjects and them, wee think it not impertinent to say somewhat thereof.

And therefore, although wee judge it needlesse to seeke for many arguments to confirme whatsoever shall be said of these mens corruption and falshood (whose hainous offences remaine so fresh in memorie, since they declaired themselves so very monsters in nature, as they did not only withdraw themselves from their personall obedience to their soveraigne, but were content to sell over their native country to those, that stood at that time in the highest terms of hostilitie with the two crownes of England and Ireland), yet to make the absurditie and ingratitude of the allegations abovementioned so much the more cleare to all men of equal judgement, wee do hereby profess

fesse in the worde of a kinge, that there never was so much as any shadowe of molestation, nor purpose of proceeding in any degree against them for matter concerning religion. Such being their condition and profession, to thinke murder no fault, mariage of no use, nor any man worthy to be esteemed valiant, that did not glorie in rapine and oppression; as we should have thought it an unreasonable thing to trouble them for any different point in religion, before any man could perceive by their conversation, that they made truly conscience of any religion. So we also for the second part of their excuse affirme, that (notwithstanding all that they can claime, must be acknowledged to proceed from meere grace upon their submission, after their great and unnaturall treasons) there hath never come any question concerning their rights or possessions, wherein wee have not bene more inclinable to doe them favour than to any of their competitours, except in those cases wherein wee have plainly discerned, that their onely end was to have made themselves by degrees more able than now they are, to resist all lawfull authoritie (when they should return to their vomit againe), by usurping a power over other good subjects of ours, that dwell among them, better born than they, and utterly disclaiming from any dependencie upon them. Having now delivered thus much concerning these men, estates, and their proceedings, wee will onely end with this conclusion, that they shall not be able to denie, whensoever they should dare to present themselves before the seate of justice, that they (before the running out of our kingdom) not onely entred into combination for stirring sedition and intestine rebellion, but have directed divers instruments, as well priests as others to make offers to foreine states and princes (if they had bene as ready to receive them), of their readinesse and resolution to adhere to them, whensoever they should seeke to invade that kingdom. Wherein, amongst other things, this is not to be forgotten, that under the condition of being made free from English government, they resolved also to comprehend the utter extirpation of all those subjects, that are nowe remayning alive within that kingdom, formerly descended from English race. In which practises and propositions, followed and fomented by priests and jesuits (of whose functions in these times the practice and persuasions of subjects to rebell against their soveraignes, is one special and essentiall part and portion) as they have found no such encouragement as they expected, and have boasted of; so wee doe assure ourselves, that when this declaration shall bee seene and duely weighed with all due circumstances, it will

will be of force sufficient to disperse and to discredit all such untruths as these contemptible creatures, so full of infidelity and ingratitude, shall discharge against us, and our just and moderate proceedings, and shall procure unto them no better usage, than they would wish should be offered to any such packe of rebels, borne their subjects, and bound unto them in so many and so great obligations.

Given at our palace of Westminster, the fifteenth day of November, in the fifth year of our reigne of Great Britain, France, and Ireland.

GOD SAVE THE KING.

No. XV.

A Letter from several of the Lords of the Pale to KING JAMES I. (P. 109.)

MOST RENOWNED AND DREAD SOVERAIGNE,

THE respective care of your highness's honour, with the obligation, that our bounden duty requireth from us, doth not permitt, that we, your nobility of this part of your majesty's realme of Ireland, commonly termed the English Pale, should suppress and be silent in aught, which in the least measure might ymport the honour of your majesty's most royal person, the reputation of your happy government, or the good and quiet of your estates and countryes; and therefore are humbly bold to addresse these our submissive lynes to your highness, and so much the rather, till that of late years it hath been a duty specially required, the nobility of this kingdom to advertise their princes your majesty's most noble progenitors, of all matters tending to their service, and to the utility of the commonwealth.

Your majesty's pleasure for calling a parliament in this kingdom hath been lately divulged, but the matters therein to be propounded not made known unto us, and to others of the nobility; we being, notwithstanding, of the grand councell of the realme, and may well be conceived to be the councell meant in the statute made in King Henry the Seventh's time, who should join with the governour of this kingdom, in certifying thither, what acts should passe here in parliament; especially, it being hard to exclude those, that

that in respect of their estates and residence, next to your majesty should most likely understand, what were fittest to be enacted and ordeyned for the good of their prince and country.

Yet are we for our own parts well persuaded they be such, as will comport with the good and relief of your majesty's subjects, and give hopeful expectation of restauration of this lately torn and rended estate, if your majesty have been rightly informed, they having (as it is said) passed the censure of your highness's most rare and matchlesse judgment. But the externe and public course held (whereof men of all sorts and qualities do take notice of the management thereof) hath generally bred so grievous an apprehension, as is not in our power to expresse, arising from a fearful suspicion, that the project of erecting so many corporations in places, that can scanty passe the rank of the poorest villages, in the poorest country in Christendom, do tend to naught else at this time, but that by the voices of a few selected for the purpose, under the name of burgessees, extreame penal laws should be ymposed upon your subjects here, contrary to the natures, customs, and dispositions of them all in effect, and so the general scope and institution of parliaments frustrated, they being ordeyned for the assurance of the subjects not to be proceessed with any new edicts or laws, but such as should pass with the general consent and approbation.

Your majesty's subjects here in general do likewise very much distaste and exclayme against the deposing of so many magistrates, in the cities and boroughs of this kingdom, for not swearing th' oath of supremacy in spiritual and ecclesiastical causes, they protesting a firm profession of loyalty, and an acknowledgement of all of kingly jurisdiction and authority in your highness; which course, for that it was so sparingly and myldly carried on in the time of your late sister of famous memory, Queen Elizabeth, and but now in your highness's happy reign first extended unto the remote parts of this country; doth so much the more affright and disquiet the minds of your well affected subjects here, especially, they conceiving, that by this means, those that are most sufficient and fit to exercise and execute those offices and places are secluded and removed, and they driven to make choice of others conformable in that point, but otherwise very unfit and incapable to undertake the charges, being generally of the meaner sort. Now whether it conduceth to the good of your estate, hereby to suffer the secret, home, evil affected subjects (of whom we wish there were none) to be transported with hope and expectation

expectation of the effects, which a general discontentment might in time produce, and to give scope to the rebels discontented of this nation abroad, to calumniate and cast an aspersions upon the honour and integrity of your highness's government, by displaying in all countries, kingdoms, and estates, and inculcating into the ears of foreign kings and princes the foulness (as they will term it) of such practises, we humbly leave to your majesty's most sacred, high, and princely consideration. And so, upon the knees of our loyal hearts do humbly pray, that your highness will be graciously pleased not to give way to courses, in the general opinion of your subjects here so hard and exorbitant, as to erect towns and corporations of places consisting of some few poor beggarly cottages, but that your highness will give direction, that there be no more created, till time, or traffick and commerce, do make places in the remote and unsettled countries here fit to be incorporated, and that your majesty will benignly content yourself with the service of understanding men to come as knights of the shire out of the chief countries to the parliament. And to the end, to remove from your subjects hearts those fears and discontents, that your highness further will be graciously pleased to give order, that the proceedings of this parliament may be with the same moderation and indifferency as your most royal predecessors have used in like cases heretofore; wherein moreover, if your highness shall be pleased, out of your gracious clemency to withdraw such laws, as may tend to the forcing of your subjects consciences here in matters concerning religion, you shall settle their minds in a most firm and faithful subjection. The honour, which your majesty, in all your actions and proceedings, hath hitherto so well maintained, the renown of your highness's transcendent understanding in matters of estate and government, and in particular the exemplary president of your majesty's never-to-be forgotten moderation, in not descending to such extraordinary courses for effecting the union of both kingdoms so much desired, doth give us full hope and assurance, that your highness will duely weigh and take in good worth these considerations by us layed down, and most graciously grant this our humble submissive suit, in which hope we do, and will always remain, your majesty's most humble and dutiful subjects,

Dublin, 25 Nov. 1612.

GORMANSTON,
CHR. SLANE,
KILEEM,
ROB. TRIMBLETTSTOWN,
PATRICK DUNSANY,
MA. LOWTH.

No. XVI.

Remonstrance of divers Lords of the Pale to the King concerning the Irish Parliament in 1613. (P. 111.)

MAY it please your majesty, such is the excessive grief and anxiety of mind and conscience, which we, the nobility of this your highness's kingdom, whose names are here under-written, do conceive, by the more preposterous courses holden in parliament, as we must be enforced, before we descend further, most humbly with tears to implore your gracious favour, that if the due regard of your majesty's sacred honour, the careful consideration of the good peace and tranquility of this your realm and country, the tender and feeling respect of our bounden and obliged duty to both, do carry us in aught beyond the limits of a well tempered moderation, your highness will be graciously pleased to pardon our excess herein, so far as *pius dolor et iracundia*, do in themselves deserve. It would far pass the compass of a letter, if we should insist to particularise the manifest, old, precedent disorders, and such, as still do accompany this intended action; only your highness shall understand, that many knights from counties, and citizens, and burgesses from cities and towns, have, contrary to the true election, been returned; and in some places force, and in many others, fraud, deceit, and indirect means have been used for effecting of this so lawless a course of proceeding. Neither can we but make known unto your majesty, that under pretence of erecting towns in places of the new plantation, more corporations have been made since the beginning of last month or little more, than are returned out of the whole kingdom; besides the number whereof (as we conceive it) contrary to your highness's intended purpose, are dispersed throughout all parts of this kingdom; and that in divers places, where there be good ancient boroughs, and not allowed to send burgesses to the parliament, and yet these new created corporations, for the most part are so miserable and beggarly poor, as their *tuguria* cannot otherwise be holden or denied than as *tituli sine, et figmenta in rebus*; for divers of which (their extreme poverty being not able to defray the charges of burgesses, nor the places themselves to afford any one man fit to present himself in the poorest society of men) and for others, we must confess, that some of great fashion have not stucked to abase themselves to be returned: the lord deputy's servants, attornies, and
clerks,

clerks, resident only in the city of Dublin, most of them having never seen or known the place, for which they were returned, and others of contemptible life and carriage. And what outrageous violence was offered yesterday to a grave gentleman, whom men of all sorts that know him, do and will confess to be both learned, and grave, and discreet, free from all touch and imputation, and whom those of the lower house, to whom no exceptions could be taken, had chosen to be their speaker, we leave, for avoiding tediousness to your highness, to their own further declaration. And forasmuch as, most renowned and dread sovereign, we cannot in any due proportion of reason, or justice expect redress in these our distressed calamities, where many of those, who represent the body of our estate, were the chief authors of them, upon the knees of our loyal and submissive hearts we humbly pray, that it would please your majesty to admit some of us to the access of your royal presence; where, if we fail in the least point of these our assertions, and declarations of other evils, which do multiply in this estate, we willingly submit ourselves to any punishment, as deserved, which it shall please your highness to lay and inflict upon us. For we are those, by the effusion of whose ancestor's blood, the foundation of that empire, which we acknowledge your highness, by the laws of God and man to have over this kingdom and people, was first laid, and in many succeeding ages preserved. To us it properly appertaineth, both in the obligation of public duty and private interest, to heed the good thereof, who never laid the foundation of our hopes upon the disturbance of it, garboils and dissensions being the downfall of our estate, as some of us now living can witness, and therefore we cannot, but out of the consideration of our bounden duty and allegiance, make known unto your highness the general discontent, which those strange, unlooked for, and never heard of courses particularly have bred; whereof, if the rebellious and discontented of this nation abroad do take advantage, and procure the evil-affected at home, which are numbers by reason of that already settled, and intended plantation in any hostile fashion to set disorders on foot, and labour some underhand relief from any prince or estate abroad, who peradventure might be inveigled, and drawn to commiserate their pretended distresses and oppressions; however, we are assured the prowess and power of your majesty in the end, will bring the authors thereof to ruin and confusion; yet it may be attended with the effusion of much blood, exhausting of masses of treasure, the exposing of us, and others your highness's well affected

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subjects,

subjects, to the hazard of poverty, whereof the memory is very lively and fresh among us, and finally, to the laying open of the whole commonalty to the inundation of all miseries and calamities, which garboils, civil war, and dissensions, do breed and draw with them, in a rent and torn estate. For preventing whereof, we nothing doubt but your majesty will give redress, by the equal balance of your highness's justice, which we beseech the Almighty with your royal person, ever to maintain and preserve.

Your majesty's most faithful subjects,

David Buttevant,	Killine,	James Dunboyne,
Gormonston,	Delvin,	Matthew Louth,
Da. Roche Fermoy,	Christopher Slane,	Thomas Cahyr.
Montgarret,	Robert Trymbelston,	

May 19, 1613.

No. XVII.

The Speech of James the First to the Lords of the Council at Whitehall, on the 21st of September, 1613, in the presence of the Irish Agents. (P. 111.)

MY LORDS,

THESE noblemen and gentlemen of Ireland are called hither this day to hear my conclusion and determination in a cause of great consequence, which hath depended long in trial. Thus far it hath had formality; for it is a formality, that kings hold in all processes of importance, to proceed slowly, to give large hearing, and to use long debate, before they give their sentence. These gentlemen will not deny that I have lent them my own ear, and have shewed both patience and a desire to understand their cause at full: It resteth now, that we make a good conclusion, after so long debate.

It is a good rule to observe three points, in all weighty businesses; long and curious debate, grave and mature resolution, and speedy execution. The first is already past; the second is to be performed this day; and the last must follow as soon as conveniently may be.

I promised to these noblemen and gentlemen of the recusant party of parliament

parliament, justice with favour; let them see whether I have performed my promise: sure I am, but for performance of that promise, I should not have given such patient hearing, nor made such a curious search into the causes of their complaints, neither should I make such a conclusion as I am now like to make of this business.

In the search (though I doubted not of the honour and justice of the lord deputy's government) yet I dealt not with him as with my servant, not as with one the most unreprouable governor, that ever was in that kingdom (as some of yourselves have acknowledged him to be to myself) but as with a party: but after the commissioners had heard all that could be alledged, I found him indeed a faithful servant by their certificate, which was *Conclusio in Causâ*.

The gentlemen I sent were such as no exception could be taken against them, some were never there before; some, so long sithence, that *rerum facies fuit mutata*, since they lived in that kingdom.

It rests me now to set down my conclusion; but before I declare my judgment, I will speak of some things offered by you the recusant half-body, which are called parliament-recusants. I have heard of church-recusants, but not of parliament-recusants; this difference was never before heard of.

First, the letter you sent unto me the beginning of the parliament was full of pride and arrogance, wanting much of the respects, which subjects owe their sovereign.

Now if I should do you justice, I should take you at your word, lay together your offer in your letters, and the articles, which my attorney laid open unto you, then shall you see your case.

For you made offer, that if you failed to prove any one point of that, which was contained in your complaint, you would renounce my favour in all; yet have you scarce proved a word true; but, on the other side, almost every point hath been proved contrary.

Of fourteen returns whereof you complain, but two have been proved false, and in the government nothing hath been proved faulty, except you would have the kingdom of Ireland like the kingdom of Heaven.

But commonly offenders are most bold to make offers of their innocency; for they (being in a passion) begin in heat, and continue in heat, but when they see themselves in the glass of their own vanity, they find their error.

And

And this I have found in my own experience in Scotland, and since my coming hither.

Now I will divide my speech in two parts, touching the offences done by you, and your complaints against the state and government.

To the first, an unusual favour was offered you by my deputy, for he sent for you, and advised you to consider what laws were fit to be propounded for that commonwealth, and offered to concur with you. Your answer should have been humble thanks on your knees, but you neglected that favour, and answered by your agent in the name of the rest, that you would first be made acquainted with such bills as the deputy and council there had resolved to transmit.

Before the parliament, there was sent to me by a few men a letter, rash and insolent, that nothing should be pursued in parliament, but you should be acquainted with it, and withal threatening me with rebellion in a strange fashion, with similitudes unfavoury and unmannerly, and unfit to be presented to any monarch; and after that, you did nothing but heap complaint upon complaint, till the parliament was sat down.

The parliament being sat, you went on with a greater contempt: there were in the lower house two bodies, and but one head, a greater monster than two heads upon one body. And whereas you should have made an humble and dutiful answer to the commendation, which I made of a speaker, you the recusant-party (being the fewer) when the greater number went out to be numbered, shut the door, and thrust one into the chair as a speaker *manu forti*. After this, the recusants of both houses depart from the parliament. The like was never heard of in France, Spain, or any other kingdom of Christendom.

Then came petitions to the deputy of a body without a head, a headless body: you would be afraid to meet such a body in the streets: a body without a head to speak, nay, half a body; what a monster were this, a very bugbear! Methinks you, that would have a visible body head of the church over all the earth, and acknowledge a temporal head under Christ, ye may likewise acknowledge my viceroy or deputy of Ireland.

Then did the deputy give you warning to come to the parliament, to pass the bill of Recognition, but that you put it off with tricks and shifts, which thing I will urge no farther; but why should the lords refuse to come? They had

had no colour of absenting themselves, having nothing to do with the orders or disorders of the lower house; the lords here, and the lower house, are as great strangers in these matters, as the parliament houses of Spain and France; neither had the recusants of the lower house any just cause of defection, since an indifferent committee was offered to them.

This was such an ill example, and such a crime, to refuse to appear at the king's summons, as if you should advise with lawyers upon it, I know not what it may impart: after this, hither you came, and only your appeal to me hath inclined me to mercy, yet I speak not this to encourage your complaints to be brought hither, when the deputy and state may determine them, though this being a matter of parliament, was fit for the king's hearing, and your appeal hath been heard and heard *usq; ad nauseam*.

And whereas it should have wrought humility and thanks, the fruit hath been, that (I will not say in a preposterous, but) in a rebellious manner, you have heaped complaints upon complaints, and petitions upon petitions, not warranted with any truth, to make the more noise, whereas you should have looked back to your own miscarriages.

Then I sent commissioners to examine, as well the by as the main business, which you first presented to be the cause of your appealing to me, but, instead of thanks for that favour, there came yet more new complaints, which, because the council here have already answered, I will not speak of.—Now if you look back to your own miscarriages, and my lenity, you shall find, that your carriage hath been most undutiful and unreasonable, and in the next degree to treason, and that you have nothing to fly to but my grace.

The lower house here in England doth stand upon its privileges as much as any council in Christendom, yet, if such a difference had risen there, they would have gone on with my service notwithstanding, and not have broken up their assembly upon it. You complain of fourteen false returns. Are there not many more complained of in this parliament, yet they do not forsake the house for it? Now, for your complaint's touching parliament matters, I find no more amiss in that parliament, than in the best parliament in the world; escapes and faults of sheriffs there may be, yet not proved; or if it had been proved, no cause to stay the parliament, all might have been set right by an ordinary course or trial, to which I must refer them. But you complain of the new boroughs, therein I would fain feel your pulse, for yet I find not where the shoe wrings. For, first, you question the power of the king,

king, whether he may lawfully make them? And then you question the wisdom of the king and his council; in that you say, that there are too many made. It was never before heard, that any good subjects did dispute the king's power in this point. What is it to you, whether I make many or few boroughs; my council may consider the fitness, if I require it; but what if I had made forty noblemen, and four hundred boroughs, the more the merrier, the fewer the better cheer. But this complaint, as you made it, was preposterous, for in contending for a committee, before you agreed of a speaker, did put the plough before the horse, so as it went on untowardly like your Irish ploughs; but because the eyes of the master maketh the horse fat, I have used my own eyes in taking a view of those boroughs, and have seen a list of them all. God is my judge, I find the new boroughs, except one or two, to be as good as the old, comparing Irish boroughs new with Irish boroughs old (for I will not speak of the boroughs of other countries); and yet, besides the necessity of making them, like to increase and grow better daily; besides, I find but few erected in each county, and in many counties but one borough only, and those erected in fit places near forts or passages for the safety of the country: methinks you, that seek the good of the kingdom, should be glad of it.

I have caused London also to erect boroughs there, and when they are thoroughly planted, will be a great security to that part of the kingdom; therefore you quarrel with that, which may bring peace to the countrey, for the persons, returned out of those boroughs, you complain they have no residence, if you had said they had no interest, it had been somewhat; but most of them have interest in the kingdom, and *qui habent interesse*, are like to be as careful as you for the weal thereof.

I seek not *emendicata suffragia*, such boroughs as have been made since the summons are wiped away at one word for this time, I have tried that, and done you fair play, but you that are of a contrary religion, must not look to be the only *Law-makers*; you are but half subjects, should have but half privilege; you that have an eye to me one way, and to the Pope another way, the Pope is your father *in spiritualibus*, and I *in temporalibus* only, and so have your bodies torn one way, and your souls drawn another; you that send your children to the seminaries of treason, strive henceforth to become full subjects, that you may have *cor unum*, and *viam unam*, and then I shall respect you all alike; but your Irish priests teach you such grounds of doctrine, as
you

you cannot follow them with a safe conscience, but you must cast off your loyalty to your king.

Touching the grievances whereof you have complained, I am loath to spend breath in them; if you charge the inferior ministers of the country, all countries are subject to such grievances; if you charge the deputy and state, *nihil probatur*. Indeed I hear (not from you, but from others) there is one thing grievous to the country; that notwithstanding the composition established in the province, the governours there do send out their purveyors, who take up their âchates, and other provision upon the country: if this had been complained of to the deputy, or to me, it had been reformed, the deputy himself at Dublin doth not grieve the country with any such burden.

Another thing there is, that grieveth the people, which is that in the country, where there is half peace and half war, the sheriffs and soldiers in their passage do commit many extortions.

For these grievances, I myself will call the deputy unto me, and set down such orders in this time of vacation, as these abuses shall be redressed and clear taken away; and if any such disorder be suffered hereafter, it shall be only be for fault of complaining; and because the meaner sort will perhaps fear to complain, I would have such gentlemen of the country, as are of best credit, to present complaints, which they may do in such manner as the parties who prefer the complaints may not be known.

There is a double cause, why I should be careful of the welfare of that people: first as King of England, by reason of the long possession the crown of England hath had of that land; and also as King of Scotland, for the ancient Kings of Scotland are descended of the Kings of Ireland, so as I have an old title as King of Scotland, therefore you shall not doubt to be relieved when you complain, so as you will proceed without clamour. Moreover my care hath been, that no acts should be preferred that should be grievous to the people; and to that end I perused them all except one, that I saw not till of late, that is now out of door, for I protest I have been more careful for the bills to be passed in that parliament, than in the parliament of England.

Lastly, for imputations that may seem to touch the deputy, I have found nothing done by him, but what is fit for an honourable gentleman to do in his place, which he hath discharged as well as any deputy did, and divers of you have confessed so to me, and I find your complaints against him, and the state, to be causeless expostulations.

To conclude, my sentence is, that in the matter in parliament, you have carried yourselves tumultuarily and undutifully, and that your proceedings hath been rude, disorderly, and inexcusable, and worthy of severe punishment; which by reason of your submission I do forbear, but not remit, till I see your dutiful carriage in this parliament; where by your obedience to the deputy and state, and your future good behaviour, you may redeem your by-past miscarriage, and then you may deserve not only pardon, but favour and cherishing.

No. XVIII.

The Judgment of divers of the Archbishops and Bishops of Ireland concerning Toleration of Religion. (Page 116.)

THE religion of the Papists is superstitious and idolatrous, their faith and doctrine erroneous and heretical, their church, in respect of both, apostatical: to give them therefore a toleration, or to consent, that they may freely exercise their religion, and profess their faith and doctrine, is a grievous sin, and that in two respects: for, first, it is to make ourselves accessory not only to their superstitions, idolatries, and heresies, and, in a word, to all the abominations of Popery; but also (which is a consequent of the former) to the perdition of the seduced people, which perish in the deluge of the Catholic apostacy.

Secondly, To grant them a toleration in respect of money to be given, or contribution to be made by them, is to set religion to sale, and with it the souls of the people, whom Christ our Saviour hath redeemed with his most precious blood. And as it is a great sin, so it is also a matter of most dangerous consequence; the consideration whereof we commit to the wise and judicious, beseeching the God of truth to make them who are in authority zealous of God's glory, and the advancement of true religion: zealous, resolute, and courageous against Popery, superstition, and idolatry. Amen.

Ja. Armachanus,	Ro. Dunensis,	Tho. Kilmore and Ardagh,
Mal. Casellen,	Georg. Derensis,	Theo. Dromore,
Anth. Medensis,	Richard Cork, &c.	Mic. Waterford and Lismore,
Tho. Fern and Leghlin	Andr. Alachdens,	Fra. Limerick.

No. XIX.

Abstract of the Report and Return of Commissioners sent by the King to Ireland, to enquire into the Grievances and Complaints of the Irish, in 1613.

(Page 121.)

UPON our arrival in Dublin, the 11th of September, we caused his majesty's commission and instructions to be inrolled, and presently directed our letters to the governors of Munster and Conaught, as also to divers lords, archbishops, and bishops, and to several of the sheriffs of counties, and others, concerning the articles of the said instructions, whereby our arrival, and the cause of our employment were made known to the people in most parts of the kingdom.

Yet during the space of one month, at the least, after our landing, no one petition was exhibited to us complaining of any grievances. Nevertheless, afterwards, upon the coming over of the Lord Killeene and Sir Christopher Plunket, two of the late petitioners to his majesty, they exhibited unto us particular instances of oppression and exactions by soldiers, provost-marshal, and some others, specially those that reside nearest the state; out of which particulars, being many, we selected threescore or thereabouts, as meetest to be examined; whereby we might discern, what were the several kinds of the soldiers oppressions towards the people; for proof of which selected articles, divers days were assigned to them to produce their witnesses: at which time some of the captains of horse and foot, provost marshal, and some of their soldiers we warned to appear before us, and thereupon we proceeded in the presence of the Lord Killeene and Sir Christopher Plunkett, and some of the parties grieved, and we proceeded to a summary examination of those disorders, and by these examinations, and by other means, it doth appear unto us, that the soldiers, both horse and foot, have extorted upon his majesty's subjects in manner following: First, in all their journies and thoroughfares, where, by their warrant from the lord deputy, they are commanded to take meat and drink in the country, paying ready money, or giving tickets for the same; the soldiers, nevertheless, for the most part, neither pay money, nor give tickets, as they ought to do; and in cases where the collectors receive tickets for the payment of the country for victualling of soldiers, they,

and sometimes persons authorised by the principal gentlemen of the country, do get these tickets into their hands, and obtain payment from his majesty's treasurer, and seldom make distribution thereof to the poorer sort to whom it is due.

The foldiers, where they are cessed, do extort money from the poorer people (besides meat and drink), for every night's lodging three shillings for a horse-man, and two shillings for a foot-man, sometimes more and sometimes less; and certain petty fums are also taken for their boys and attendance, besides victuals, and it happeneth sometimes, that the foldiers that take cess, take money, as well for themselves as for other foldiers absent, which the country call black men, because they are not seen; and sometimes foldiers in pay, and others discharged out of pay, and divers vagrants in the name of foldiers, take meat and money of the people without warrant or after the date of their warrant is expired, in extortious manner, by two or three or more in company. And in all these cases, when the people have not money to pay them, they take divers times, forcibly, either some of their cattle, or some of their household stuff for pawns in lieu thereof, whereby breach of peace and affrays are occasioned.

Likewise the foldiers, although they be always enjoined by the lord deputy's warrant to pass to and fro the direct way in their journies, yet do they sometimes make a circular and long course in their thoroughfare, whereby they cess and hurt the people, more days than is limited unto them, or is requisite for their journey.

Also the foldiers in their journies, being cessed in small numbers in villages by the collectors, according to the ability of the places, they do sometimes take money in the towns, wherein they are assigned to take their lodgings and victuals, and depart the same and lodge themselves, without warrant, near the same place, whereby the people bear a double charge.

Moreover it appeareth, that some officers of bands have taken monies of townships, to forbear to cess upon them in their journies, and have cessed upon the towns not far distant from thence; and these exactions are committed by foldiers in counties where the composition in lieu of cess is paid, as in other places, wherein is to be observed, that by the tenor of the composition, the counties are to victual the foldiers in their passage at usual rates, a matter reserved for necessity of state.

The

The foldiers do not only commit these abuses in their thoroughfares, but when they are sent into the country upon other employments.

The provost marshal (whereof there is one at least in every province) has likewise certain men to attend him, who do exact victuals and money in their passage up and down the country from the people, and commit other disorders as foldiers do, which extortions have been committed by the foldiers and the rest of themselves, without any warrant at all, or connivance of any, so far as hath appeared unto us.

And notwithstanding these oppressions in these kinds are very many (as may be seen by their informations to us exhibited from divers parts of the kingdom), yet, for any thing appearing unto us, very few have complained thereof to the lord deputy; who, upon their complaints, hath given order for redress of such grievances, as hath been manifested unto us.

The reasons therefore the people pretend to have forbore to make their complaints, is the fear they have had to be worse used by the foldiers complained of at other times, and that the charges of complaint would far have exceeded their damages and losses, although they cannot deny but the lord deputy hath given as easy access and as speedy remedy as hath been given by former governors.

The names of some few foldiers, that are offenders in these kinds, and are yet in pay, appear in our examinations, others are dead or discharged, and in many of the complaints against foldiers, their names are not known to the parties, neither have the foldiers or others complained to us for want of pay by these captains, although some of them have been by us required publicly to deliver us their knowledge therein. There be divers complaints against sheriffs in general, namely, that sundry sheriffs have no freehold, or habitation, in the counties for which they serve, as they ought to have by the laws of the kingdom; also that divers of them have no settled estates of land or freehold in other places; and having gathered rents, and other duties for his majesty, they depart without passing their accounts, which appeareth to be true: and the reason thereof is affirmed to be, that in the civilest countries in the English Pale, and in other counties within the kingdom, there are found very few Protestants that are freeholders of quality fit to be sheriffs, and that will take the oath of supremacy, as by the laws they ought to do; and by the lord deputy's order, no sheriff is admitted till he enter into sufficient bond for answering his accounts.

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It is likewise a grievance complained of, and found true, that many sheriffs, especially those of the meaner sort, do suffer their men, bailiffs, and followers to take victuals of the country, for themselves, without money, and sometimes both money and victuals, and that in gathering in his majesty's rents, and the fines for using the short ploughs, and other impositions, as building of bridges, and such like, they do take of the people, besides the principal duties twelve pence in the pound, and sometimes greater sums, for their private uses, for which the sheriffs give no reason, but the same is taken towards their charges in collecting those duties, in regard of the little benefit which their office otherwise yieldeth, &c.

No. XX.

The Substance of the Remonstrance of the Commons, to the Lord Deputy Wentworth, in 1695. (Page 124.)

THAT sensibly apprehending the manifold inconveniences, that had befallen the kingdom, through the uncertainty of estates, occasioned by the embezzling, burning and defacing of records, in times loose and uncertain, troubled with continual war, untill the beginning of his late majesty's happy reign; and encreased by the negligence or ignorance of sundry persons heretofore employed in passing of patents and estates from the crown; whereby many errors in law crept into these grants, whereof divers indigent persons, with eagle-eyes piercing thereunto, commonly took advantage, to the utter overthrow of many noble and deserving persons, who, for valuable considerations of service to the crown, or for money, or for both, honourably and fairly acquired their estates. That, therefore, finding in themselves a sensible feeling of these and other grievances, they had received unspeakable pleasure from his majesty's princely care and tender affection towards them, expressed in the graces transmitted over by their last agents, and on his royal word, the best of assurance, and his princely signature, which he had been graciously pleased to pass unto them, to cause the said graces to be enacted in the next ensuing parliament; that they could not suffice only to discharge their duty to his majesty, or the trust reposed in them by their country, unless they were careful in these great affairs, to conserve the honour of his majesty's word

word, in that respect, passed unto them his people, who had heretofore, by their said agents, presented a free gift of one hundred and twenty thousand pounds to his majesty, and one hundred and fifty thousand pounds loan-money or contribution, by them forgiven, and forty thousand pounds in these two last years, contributed by the country, amounting in the total to three hundred and ten thousand pounds, exceeding in proportion their abilities, and the precedents of past ages, &c.

Wherefore, they most humbly prayed, that his lordship would place the statute, 21st Jacobi, entitled An Act for the general Quiet of the Subject against Concealment, in the first Transmission of Laws in England; the said grace being particularly promised by his majesty, approved by both the councils of estate in England and Ireland, and published in all the counties in Ireland at the general assizes, and most expected of all the other graces. And that he would please to certify their universal consent, and much longing desire, to have the said statute of 21st Jacobi, and the rest of the said graces, perpetuated by acts to be passed in that parliament.

No. XXI.

(Page 128.)

TO THE RIGHT HONOURABLE THE LORD DEPUTY.
*The humble and just Remonstrance of the Knights, Citizens, and Burgeesses, in
 Parliament assembled,*

SHEWING,
 THAT in all ages past since the happy subjection of this kingdom to the imperial crown of England, it was made and is a principal study and princely care of his majesty and his noble progenitors, Kings and Queens of England and Ireland, to the vast expence of treasure and blood, that their loyal and dutiful people of this land of Ireland, being now for the most part derived from British ancestors, should be governed according to the municipal and fundamental laws of England; that the statute of *Magna Charta*, or the great charter of the liberties of England, and other laudable laws and statutes were in several parliaments here enacted and declared, that
 by

by the means thereof, and of the most prudent and benign government of his majesty and his royal progenitors, this kingdom was, untill of late, in its growth to a flourishing estate, whereby the said people were heretofore enabled to answer their humble and natural desires, to comply with his majesty's royal and princely occasions, by their free gift of one hundred and fifty thousand pounds sterling, and likewise by another gift of one hundred and twenty thousand pounds more, during the government of Lord Viscount Faulkland; and after, by the gift of forty thousand pounds, and their free and chearful gift of six intire subsidies, in the tenth year of his majesty's reign; which, to comply with his majesty's then occasions, signified to the then House of Commons, they did allow should amount in the collections unto two hundred and fifty thousand pounds, although (as they confidently believe) if the said subsidies had been levied in a moderate parliamentary way, they would not have amounted to much more than half the said sum, besides the four entire subsidies granted in this present parliament. So it is, may it please your lordship, that by occasion of ensuing and other grievances and innovations, (though to his majesty no considerable profit) this kingdom is reduced to the extream and universal poverty, that the same is now less able to pay subsidies, than it was heretofore to satisfy all the before-recited great payments. And his majesty's most faithful people of the same land do conceive great fears, that the said grievances, and consequences thereof, may hereafter be drawn into precedents, to be perpetuated upon their posterity; which, in their great hopes, and strong beliefs they are persuaded, is contrary to his majesty's royal and princely intention towards his said people: some of which said grievances are as followeth:

1st. The general apparent decay of trades, occasioned by the new and illegal raising of the book of rates, and impositions as twelve pence a piece custom for hides bought for four or five shillings, and other heavy impositions upon native and other commodities, exported and imported, by reason whereof and of extreme usage and censure, merchants are beggared, and both disabled and discouraged to trade, and some of the honourable persons, who gain thereby are often judges and parties; and that it is the conclusion his majesty's profit thereby is not considerably advanced.

2dly. The arbitrary decision of all civil causes and controversies, by paper petitions, before the lord lieutenant and lord deputy, and infinite other judicatories upon reference from them derived, in the nature of all actions determinable

minable at the common law, not limited unto certain time, season, cause, or thing whatsoever; and the consequences of such proceedings, by receiving immoderate and unlawful fees by secretaries, clerks, pursuivants, serjeants at arms, and otherwise, by which kind of proceedings his majesty loseth a considerable part of his revenue, upon original writs and otherwise; and the subject loseth the benefit of his writ of error, bill of reversal, vouchers, and other legal and just advantages, and the ordinary course and courts of justice declined.

3dly. The proceedings in civil causes at council-board, contrary to the law and great charter, not limited to any certain time or season.

4thly. That the subject is, in all the material parts thereof, denied the benefit of princely graces; and more especially of the statute of limitations of 21 Jacobi, granted by his majesty in the fourth year of his reign, upon great advice of the councils of England and Ireland, and for great consideration, and then published in all the courts of Dublin, and in all the counties of this kingdom, in open assizes, whereby all persons do take notice, that, contrary to his majesty's pious intentions, his subjects of this kingdom have not enjoyed the benefit of his majesty's princely promise thereby made.

5thly. The extrajudicial avoiding of letters patents of estates of a very great part of his majesty's subjects under the great seal, (the publick faith of the kingdom) by private opinions delivered at the council-board, without legal evictions of their estates, contrary to law, and without precedent or example of any former age.

6thly. The proclamation for the sole emption and uttering of tobacco, which is bought at very low rates, and uttered at high and excessive rates; by means whereof, thousands of families within this kingdom, and of his majesty's subjects in several islands, and other parts of the West-Indies, (as your petitioners are informed) are destroyed, and the most part of the coin of this kingdom is engrossed into particular hands, insomuch, as the petitioners do conceive, that the profit arising and engrossed thereby doth surmount his majesty's revenue, certain or casual, within this kingdom, and yet his majesty receiveth but very little profit by the same.

7thly. The unusual and unlawful encreasing of monopolies, to the advantages of a few, the disprofit of his majesty, and impoverishment of his people.

8thly. The extreme cruel usage of certain late commissioners, and others the inhabitants of the city and county of London-Derry; by means whereof,

the worthy plantation of that country is almost destroyed, and the said inhabitants are reduced to great poverty, and many of them forced to forsake the country; the same being the first and most useful plantation in the large province of Ulster, to the great weakening of the kingdom in this time of danger, the said plantation being the principal strength in those parts.

9thly. The late erection of the court of high commission for causes ecclesiastical, in these necessitous times, the proceedings of the said court in many causes without legal warrant, and yet so supported, as prohibitions have not been obtained, though legally fought for; and the excessive fees exacted by the ministers thereof, and the encroaching of the same upon the jurisdiction of other ecclesiastical courts of this kingdom.

10thly. The exorbitant and barbarous fees and pretended customs exacted by the clergy, against the law, some of which have been formerly represented to your lordship.

11thly. The petitioners do most heartily bemoan, that his majesty's service and profit are much more impaired than advanced by the grievances afore-said; and the subsidies granted in the last parliament having much increased his majesty's revenue, by the buying of grants and otherwise: and that all his majesty's debts then due in this kingdom, were satisfied out of the said subsidies, and yet his majesty is of late (as the petitioners have been informed in the House of Commons) become indebted in this kingdom in great sums.

And they therefore humbly beseech, that an exact account may be sent to his majesty, how and in what manner his treasure is issued.

12thly. The petitioners do humbly conceive just and great fears at a proclamation published in this kingdom in *anno Domini* 1635, prohibiting men of quality or estates to depart this kingdom into England without the lord deputy's licence, whereby the subjects of this kingdom are hindered and interrupted from free access and address to his sacred majesty and privy council of England, to declare their just grievances, or to obtain remedies for them in sort as their ancestors have done in all ages since the reign of King Henry the Second, and great fees exacted for every of the said licences.

13thly. That of late his majesty's attorney-general hath exhibited informations against many ancient boroughs of this kingdom into his majesty's court of Exchequer, to shew cause by what warrant the said boroughs (who heretofore sent burgesses to the parliament) should send the said burgesses to parliament: and thereupon, for want of an answer, the said privileges of sending

sending burgesſes were ſeiſed by the ſaid court : which proceedings were altogether *coram non judice*, and contrary to the laws and privileges of the Houſe of Parliament, and (if way ſhould be given thereunto) would tend to the ſubverſion of parliaments, and, by conſequence, to the ruin and deſtruction of the commonwealth.

And the Houſe of Commons hath hitherto in this preſent parliament been deprived of the advice and council of many profitable and good members, by means thereof.

14thly. That by the powerfullneſs of ſome miniſters of ſtate in this kingdom, the parliament in its members and actions hath not its natural freedom.

15thly. That the fees taken in all the courts of juſtice in this kingdom, both eccleſiaſtical and civil, and by other inferior officers and miniſters, are ſo immoderately high, that it is an unſpeakable burthen to all his majeſty's ſubjects of this kingdom, who are not able to ſubſiſt, except the ſame be ſpeedily remedied and reduced to ſuch a moderation as may ſtand with the condition of this realm.

And laſtly, The gentry and merchants, and other his majeſty's ſubjects of the kingdom, are of late, by the grievances and preſſures aforeſaid, and other the like, brought very near to ruin and deſtruction : and the farmers of cuſtoms, cuſtomers, waiters, ſearchers, clerks of unwarrantable proceedings, purſuivants and gaolers, and fundry others, very much enriched ; whereby, and by the ſlow redreſs of the petitioner's grievances, his majeſty's moſt faithful and dutiful people of this kingdom do conceive great fears, that their readineſs, approved upon all occaſions, have not been of late rightly repreſented to his ſacred majeſty : for remedy whereof, the ſaid petitioners do humbly and of right beſeech your lordſhip, that the ſaid grievances and preſſures may be ſpeedily redreſſed ; and if your lordſhip ſhall not think fit to afford preſent relief therein, that your lordſhip might admit a ſelect committee of this houſe, of perſons uninterſted in the benefit ariſing of the aforeſaid grievances, to be liſenced by your lordſhip to repair to his ſacred majeſty in England, for to purſue the ſame, and to obtain fitting remedy for their aforeſaid, and other juſt grievances and oppreſſions : and upon all juſt and honourable occaſions they will, without reſpect of particular intereſt or profit to be raiſed thereby, moſt humbly and readily in parliament extend their utmoſt endeavours to ſerve his majeſty, and comply with his royal and princely occaſions. And ſhall pray, &c.

No. XXII.

(Page 133.)

To the Right Honourable the Justices and Council, the humble Remonstrance of the Gentry and Commonalty of the County of Cavan, of their Grievances, common with other Parts of this Kingdom of Ireland.

WHEREAS we, his majesty's loyal subjects of his highness's kingdom of Ireland, have, of long time, groaned under many grievances and pressures, occasioned by the rigorous government of such placed over us, as respected more the advancement of their own private fortunes, than the honour of his majesty, or the welfare of his subjects; whereof we have heretofore in humble manner declared ourselves to his highness, by our agents, sent from the parliament, the representative body of the kingdom, notwithstanding which, we find ourselves of late threatened with far greater and more grievous vexations, either with captivity of our consciences, or utter expulsion from our native seats, without any just grounds given on our parts, to alter his majesty's goodness, so long continued to us. Of all which, we find great cause of fears in the proceedings of our neighbour nations; and do see it already attempted by certain petitioners, for the like course to be taken in this kingdom, for the effecting thereof, in a compulsory way; so as rumours have caused fears of invasion from other parts, to the dissolving of the bond of mutual agreement, which hitherto hath been held inviolable, between the several subjects of this kingdom, and whereby all his majesty's other dominions have been linked in one. For the preventing therefore of such evils growing upon us in this kingdom, we have, for the preservation of his majesty's honour, and our own liberties, thought fit to take into our hands, for his majesty's use and service, such forts and other places of strength, as coming into the possession of others, might prove disadvantageous, and tend to the utter undoing of the kingdom; and we do hereby declare, that herein we harbour not the least thought of disloyalty towards his majesty, or purpose any hurt to his highness's subjects, in their possessions, goods, or liberty; only we desire, that your lordships will be pleased to make remonstrances to his majesty for us, of all our grievances and just fears, that they may be removed, and such a course settled by the advice of the parliament of Ireland, whereby the liberty of our consciences may be secured unto us, and we eased
of

of other burdens in civil government. As for the mischiefs and inconveniences, that have already happened, through the disorder of the common sort of people, against the English inhabitants, or others, we with the nobility and gentlemen, and such others of the several counties of this kingdom, are most willing and ready to use our and their best endeavours in causing restitution and satisfaction to be made, as in part we have already done.

An answer hereunto is most humbly desired, with such present expedition as may, by your lordships, be thought most convenient, for avoiding the inconvenience of the barbarousness and incivility of the commonalty, who have committed many outrages, without any order, consenting, or privity of ours. All which we leave to your lordships' wisdom, and shall humbly pray, &c.

No. XXIII.

The Protestation of the Commons against the Preamble in Favour of the Earl of Strafford. (Page 129.)

WHEREAS an act for the granting of four entire subsidies to his most excellent majesty, by the temporality of this kingdom was enacted in the first session of this present parliament, in the preamble of which act the ensuing branch or clause was inserted, viz. " And particularly in providing and
 " placing over us so just, wise, vigilant, and profitable a governor, as the
 " Right Honourable Sir Thomas Wentworth, Knight, Earl of Strafford,
 " Lord Lieutenant of this your said kingdom of Ireland, president of your
 " majesty's council established in the north parts of your said kingdom of
 " England, and one of your majesty's most honourable privy council of the
 " same kingdom, who by his great care and travail of body and mind, sincere and upright administration of justice, without partiality, increase of
 " your majesty's revenue without the least hurt or grievance to any your
 " well-disposed and loving subjects, and our great comforts and security, by
 " the large and ample benefits which we have received, and hope to receive
 " by his majesty's commission of grace for remedy of defective titles, procured
 " hither by his lordship from your sacred majesty, his lordship's great care
 " and pains in restauration of the church, the reinforcement of your army
 " within

“ within this kingdom, and ordering the same with such singular and good
“ discipline as that it is now become a great comfort, stay and security to
“ this your whole kingdom, which before had an army, rather in name than in
“ substance, his supports of your majesty’s wholesome laws here established,
“ his encouragement and countenance to your judges, and other good officers,
“ ministers, and dispensers of the laws, in the due and sincere administration
“ of justice, his necessary and just strictness for the execution thereof, his
“ due punishment of the contemners of the same, and his care to relieve and
“ redress the poor and oppressed: for this your tender care over us, shewed
“ by the deputing and supporting of so good a governor, we your faithful
“ subjects, acknowledge ourselves more bound, than we can with tongue or
“ pen express.” The knights, citizens, and burgeses in parliament assembled,
do hereby declare and protest, that Thomas Earl of Strafford, lord lieutenant
general, and general governor of this kingdom, before such time as the said
act (being formerly transmitted into England, and returned from thence)
was read or known in parliament, and before him the Lord Dillon, of Kil-
kenny-west, and Christopher Wandsford, Esq., then lords justices of this
kingdom, did in several speeches, declare and signify unto both houses of
parliament, his majesty’s urgent and great occasions, and the near and ap-
proaching danger, that this realm was suddenly to be invaded by the Scots;
whereupon, and before the said act was read or known, as aforesaid, four
intire subsidies were freely, chearfully, and unanimously granted in parlia-
ment, and thereupon, and not before the said act was read and made known
in the House of Commons, and that their natural and fervent zeal and devo-
tion to his majesty’s service, and the fears of the said declared imminent
danger, and the inconveniencies which they suspected might ensue, if they
had then excepted against the said part of the preamble concerning the Earl
of Strafford, and expected a new transmission, as a statute of force here in
such cases doth require, did occasion and enforce their silence, and not then
speaking or protesting against the said part of the preamble which was cau-
tiously and surreptitiously, as to this house, for so much thereof as concerns
the said Earl of Strafford only, inserted in the said preamble, and of purpose
to prevent and anticipate the just and universal complaints of his majesty’s
most faithful, dutiful, and loving subjects of this kingdom; and that the said
part of the preamble was contrived, penned, and inserted as aforesaid frau-
dulently, without the privity of the house, either by the said Earl of Straf-
ford

ford himself, or by some other person or persons advisers, procurers, and actors of, and in the manifold and general grievances and oppressions of this his majesty's kingdom, by the direction and privity of the said earl. And the said knights, citizens, burgessees assembled, as aforesaid, do further declare and make this their protestation, that this kingdom, at such time as the said Earl of Strafford first obtained the government thereof, was in a flourishing, wealthy, and happy estate, and that, since the said Earl of Strafford's government, he the said Earl of Strafford, his advisers, councillors, and ministers, have altered the face of the government of the said kingdom, by the introducing of a new, unlawful, arbitrary, and tyrannical government, by the determination of all or most causes upon paper petitions, and other unjust and unwarrantable proceedings and actions, to the particular profit of himself and his ministers, tending to the great impoverishment and destruction of his majesty's said subjects, in their lands, goods, lives, and just liberties, and to the subversion of the former laudable, mild, and legal government, for many ages past, settled and established in this kingdom by his most excellent majesty, and his royal progenitors and predecessors, kings, and queens of England and Ireland, and that the said Earl of Strafford, and his councillors, advisers, and ministers aforesaid, by, and by occasion of the said innovations, and new form of unjust government, have, beyond all measure and moderation, advanced and enriched themselves, by extortions, oppressions, and all sorts of injustice, to the general grief, discontent, and destruction of his majesty's said faithful people of this kingdom. And the said knights, citizens, and burgessees, do further declare and protest, and have a settled, firm, and immovable faith and belief, that his most excellent majesty, in his pious intention and inclination to his said people did place, constitute, and continue the said Earl of Strafford in the said government, to the intent and purpose, that the said earl should carry and demean himself a just, upright, and equal governor of the said kingdom, according to the laws and statutes of force in this kingdom, and in no other sort or manner; and that the said Earl of Strafford, his councillors, advisers, actors, and ministers aforesaid, did manage the most weighty affairs of this kingdom, during the time of the said earl his said government, directly contrary to his said majesty's pious intentions. And the knights, citizens, and burgessees, do further protest and declare, that as for and concerning so much of the preamble of the said act, as doth concern his most excellent majesty alone, and likewise the body of the
said

faid act, for granting of the faid subsidies, that they are now as glad and chearful for to have passed and granted the same, as in or by the faid act, or in or by their former declarations, they have expressed, and will, unto all honourable and necessary occasions of his majesty, in parliament contribute their best endeavours and assistance.

And the faid knights, citizens, and burgeses, do hereby authorize and require their committee, now attending his majesty, for to present unto his majesty this their protestation, and proofs thereof, by particular instances, if the same be required and necessary; and likewise to present unto his majesty their humble request, that an act may pass in this present parliament, for the revoking, vacating, and taking from the records of parliament, the before recited part of the preamble, concerning the faid Earl of Strafford and his government, and likewise to become most humble suitors to his most excellent majesty, that neither the faid Earl of Strafford, nor any of his faid advisers, counsellors, or ministers, as persons, who in all things served their own turns, and deceived his majesty, and who are most hateful and insupportable to his faid people, may have any thing to do in counselling, advising, or acting with, or concerning the government of this kingdom, or the affairs thereof; and that the contrivers, advisers, and actors of the faid part of the preamble concerning the faid Earl of Strafford and his government, the same being surreptitiously, as to this house, inserted, as aforesaid, may be discovered, impeached, and punished for the same, and other their offences and misdemeanors according to the justice and course of parliament.

No. XXIV.

His Majesty's Letter touching the Graces. (P. 131.)

CHARLES REX.

RIGHT trusty and well beloved counsellors, we greet you well. Whereas humble suit hath been made unto us by the committees of the lords and commons, in parliament assembled in that our kingdom of Ireland, among other particulars, for the obtaining of the benefit of certain instructions and graces, by us promised, in the fourth year of our reign, to our subjects of that kingdom; which they alledge they have not hitherto fully enjoyed

enjoyed, according to our gracious intention; and their said suit, for enjoying the said graces, being by us taken into serious consideration, after great deliberation, and the advice of our privy council thereupon heard, we have thought fit, by these our letters, to declare, that all and every of our subjects of that our kingdom shall, from henceforth, enjoy the benefit of the said graces, according to the true intention thereof. And it is our royal will and pleasure, that the same be now settled, as may most conduce to the future security of our said subjects, estates, and the good of that our kingdom. And to the end, that our princely promise passed unto them, in the parts thereof herein expressed, may the more speedily be performed, we thereby will and require you, that forthwith several bills be transmitted from you, our justices and our council there, for securing unto our said subjects in parliament, such particulars, as in these our letters are contained, &c.

No. XXV.

The Orders of the Lords and Commons of the English Parliament to the Lords Justices of Ireland. (P. 140.)

THE lords and commons in this present parliament, being advertised of the dangerous conspiracy and rebellion in Ireland, by the treacherous and wicked instigation of Romish priests, for the bloody massacre and destruction of all Protestants living there, and other his majesty's loyal subjects of English blood, though of the Romish religion, being ancient inhabitants within several counties and parts of that realm, who have always in former rebellions given testimony of their fidelity to this crown; and for the utter depriving of his royal majesty, and the crown of England, from the government of that kingdom, (under pretence of setting up the Popish religion) have therefore taken into their serious consideration, how those mischievous attempts might be most speedily and effectually prevented, wherein the honour, and interest of this kingdom, are most nearly and fully concerned.

Wherefore they do hereby declare, that they do intend to serve his majesty with their lives and fortunes, for the suppressing of this wicked rebellion, in such a way as shall be most effectual, by the wisdom and authority of parliament, and thereupon have ordered and provided for a present supply of

money, and raising the number of six thousand foot, and two thousand horse, to be sent from England, being the full proportion desired by the lords justices, and his majesty's council resident in that kingdom, with a resolution to add such further succours, as the necessity of these affairs shall require. They have also resolved of providing arms and munition, not only for those men, but likewise for his majesty's faithful subjects in that kingdom, with store of victuals, and other necessaries, as there shall be occasion; and that these provisions may more conveniently be transported thither, they have appointed three several ports of this kingdom, that is to say, Bristol, Westchester, and one other in Cumberland, where the magazines and storehouses shall be kept, for the supply of the several parts of Ireland. They have likewise resolved to be humble mediators to his most excellent majesty, for the encouragement of those English or Irish, who shall, upon their own charges, raise any number of horse or foot, for his service, against the rebels, that they shall be honourably rewarded with lands or inheritance in Ireland, according to their merits. And for the better inducing the rebels to repent of their wicked attempts, they do hereby commend it to the lord lieutenant of Ireland, or, in his absence, to the lord deputy or lords justices there, according to the power of the commission granted in that behalf, to bestow his majesty's gracious pardon to all such as, within a convenient time (to be declared by the lord lieutenant, or lord deputy, or lords justices and council of that kingdom) shall return to their due obedience; the greater part thereof, they conceive, have been seduced upon false grounds, by the cunning and subtle practices of some of the most malignant rebels, enemies to this state, and to the reformed religion; and likewise to bestow such rewards as shall be thought fit and published by the lord lieutenant, lord deputy, or lords justices and council, upon all those, who shall arrest the persons, or bring the heads of such traitors, as shall be personally named in any proclamation published by the state there.

And they do hereby exhort and require all his majesty's loving subjects, both in this and in that kingdom, to remember their duty and conscience to God and his religion.

No. XXVI.

The Oath taken by the Irish. (Page 141.)

I A. B. do, in the prefence of Almighty God and all the faints and angels in Heaven, promife, vow, fwear, and proteft, to maintain and defend, as far as I may, with my life, power, and eftate, the public and free exercife of the true and Roman Catholic religion, againft all perfons that fhall oppofe the fame. I further fwear, that I will bear faith and true allegiance to our fovereign lord King Charles, his heirs and fucceffors; and that I will defend him and them as far as I may, with my life, power, and eftate, againft all fuch perfons as fhall attempt any thing againft their royal perfons, honours, eftates, and dignities, and againft all fuch as fhall directly or indirectly endeavor to fupprefs the royal prerogative, or do any act or acts contrary to regal government; as alfo the power and privileges of parliament, the lawful rights and privileges of the fubjects, and every perfon, that makes this vow, oath, and proteftation, in whatfoever he fhall do, in the lawful purfuanee of the fame. And to my power, as far as I may, I will oppofe, and by all means and ways endeavor to bring to condign punifhment, even to the lofs of life, and liberty, and eftate, all fuch as fhall either by force, practice, plots, confpiracies, or otherwife, do or attempt any thing to the contrary of any article, claufe, or any thing in this prefent vow, oath, or proteftation contained. So God me help.

No. XXVII.

LORD CLANRICARDE'S Letter to the KING. (Page 141.)

MAY IT PLEASE YOUR MAJESTY,

THE 5th of this prefent was a day of great comfort and confolation to me, receiving affurance (by your majesty's direction) from my Lord Falkland, that your majesty was pleafed to hold a gracious opinion of my endeavours and proceedings for your fervice; and that the diftraction of the times, and not difpleafure, diverted the courfe of your majesty's favours towards me, which, in my own thoughts, gave me very high fatisfaction, and

requires my humble acknowledgements ; and if your majesty had reserved the reducing of this kingdom to our own power and management, I do confidently presume, that as you have honoured me with this government, so your majesty would have long since intrusted me with means and ability to discharge the duty of my place, and to appear considerable in your service ; but, as it is now governed, though many there are most near unto me in blood, and, as I conceive, sure to me in friendship and affection, yet I apparently find (such is the disposition of the times) let my endeavours be never so industrious and faithful, I shall never attain to any trust or employment that may gain me honour by my service, nor any support to ease my infinite charge, which hath already consumed both my fortune and credit.

I have written to my Lord of Falkland, and sent him several papers, that will give some account of my proceedings since my last dispatch, and the motives, that guided me to the courses I have taken, being left to myself, without either strength or intelligence ; and there I hope faith and duty will appear, though accompanied with error and disability. Those of most importance, wherein I most desire to justify myself, concern the arrival of the Lord Forbes to the Bay of Galway, with the title of lieutenant general of the additional forces.

And unto your majesty, I presume to send herewith a copy of the submission his lordship required from Galway. The motives of my proceedings with his lordship, and a note of particulars I have sent unto my Lord of Falkland, that your majesty may be informed at your best leisure of what you shall please to make choice of. I understand, that those forces were sent at the request, and upon the charge of the city of London ; and whether they were so fair in your majesty's favour as to have such an important place put into their hands, and taken out of my government, intrusted to me by your majesty, appeared very doubtful unto me, and inclined me rather to a respective refusal of such assistance, untill I received some further intimation of your pleasure, whether it be a necessary part of my duty to receive all accidental forces, or to attend those supplies, that may be properly assigned for this place, and that I may have some interest or command over them : otherwise I have cause to fear much danger and prejudice by the violence offered by some here, and more frequently in other places.

After a long expectation, the natives of these parts finding no power or assistance coming or appointed for me, nor no instruction or declaration directed

rected to me under your royal signature, neither intreaties, threats, nor protestations can persuade or draw most men from the belief, that they do really serve your majesty, that are in this present commotion, and that I do adhere to those that stand in opposition to your majesty, in regard that my brother hath so far cast himself into your majesty's displeasure (which I cannot mention but with a deep impression of grief and amazement), and that your majesty's fort at Galway is no more at your own disposal, but in the hands of your enemies, by the correspondence between the Lord Forbes and the captain of the fort; and most are so carried with these opinions, that I have gotten the hatred of the whole kingdom, and though most faithful, yet least able to serve your majesty, or defend myself. And such is the distracted apprehension of these people, that though many are inclining to fall off, in whom I reposed much confidence; and that few will pay any exact obedience; and that oppressed by multitudes, I may this winter be in danger to be shut up or besieged; yet, if vows or protestations may gain belief, I should be followed by thousands to serve your majesty in any other place. But as the state of this kingdom stands, such is their sense of the opposition given to your majesty by some faction in your parliament, of the injustice done them by those, that govern here, and the general destruction conceived to be designed against the natives, that almost the whole kingdom are united into one resolute body to gain their preservation, or sell their lives at the dearest rates.

I give your majesty most humble thanks for the licence I have received for my repair into England; but the land passages to Dublin being stopt, and the time of the year far spent, which make the long voyage by sea most dangerous and troublesome for women and children, I resolved between two extremes to keep my family here till summer; but if your majesty find no inconvenience there, by my attendance upon you in England, which I know not how to judge of at this distance, being debarred free intelligence, I should myself be glad to wait upon your majesty, to represent some things unto you, that I conceive might be of advantage to your service, which I humbly submit to your majesty's consideration. And for my own particular, God is my witness, I have no other aim nor end but merely to approve myself serviceable, and most constantly loyal to your majesty; and but for these respects, I should not care how soon I paid nature that debt, which must be at last discharged; and if it please God to hasten me from these miseries, and
that

that I may not repair unto your majesty, I shall confidently trust in your grace and goodness, that your majesty will vouchsafe to take my wife and children into your royal care and protection; and likewise the heir male of a never tainted family, whose carriage and disposition will, I hope, deserve your majesty's favour.

And pardoning my present presumption, whilst I have life I will constantly offer up my prayers and vows for your majesty's preservation from all dangers, and that you may appear in full power and glory, answerable to the birth and virtues of so great a monarch, and your majesty may be graciously pleased to conceive it want of ability and means of expression, and no failing of duty or affection, if I do not clearly approve myself,

Your majesty's most humble and faithful
 Laughreagh, the 26th subject and servant,
 of October, 1642. CLANRICARDE and ST. ALBANS.

No. XXVIII.

The Remonstrance of the Catholics of Ireland, delivered to His Majesty's Commissioners, at Trym, 17th of March, 1642. (Page 142.)

To the King's Most Excellent Majesty.

MOST GRATIOUS SOVEREIGNE,

WEE your majestie's most dutifull and loyall subjects, the Catholiques of your highness' kingdome of Ireland, being necessitated to take armes for the preservation of our religion, the maintenance of your majestie's rights and prerogatives, the natural and just defence of our lives and estates, and the liberties of our country, have often since the beginning of these troubles, attempted to present our humble complaynts unto your royal view, but we are frustrated of our hopes therein by the power and vigilance of our adversaryes (the now lords justices and other ministers of state in this kingdom), who by the assistance of the malignant partie in England, now in armes against your royall person, with less difficultie to obtain the bad ends they proposed to themselves, of extirpating our religion and nation, have hitherto debarred us of any access to your majesty's justice, which occasioned the

the effusion of so much innocent blood, and other mischiefs in this your kingdom; and that otherwise might well bee prevented. And whereas of late notice was sent unto us of a commission granted by your majesty to the Right Honourable the Lord Marques of Ormond, and others, authorizing them to heare what we shall say or propound, and the same to transmit to your majestie in writing, which your majestie's gracious and princely favor, wee finde to be accompanied with these words, viz. *(albeit wee doe extreamly detest the odious rebellion, which the recusants of Ireland have, without ground or colour, raised against us, our crown and dignitie)*; which words wee doe in all humilitie conceive to have proceeded from the misrepresentations of our adversaries, and therefore do protest, we have been therein maliciously traduced to your majestie, having never entertained any rebellious thought against your majesty, your crowne or dignitie, but allways have been, and ever will continue, your majestie's most faithfull and loyall subjects, and doe most humbly beseech your majestie soe to owne and avowe us, and as such wee present unto your majestie these ensueing grievances and causes of the present distempers.

Imprimis. The Catholiques of this kingdome, whom no reward could invite, no persecution could inforce, to forsake that religion professed by them: and their ancestors for thirteen hundred years or thereabouts, are, since the second yeare of the reigne of Queene Elizabeth, made incapable of places of honour or trust, in church or commonwealth, their nobles become contemptible, their gentry debarred from learning in universities, or public schools within this kingdom, their younger brothers put by all manner of employment in their native country, and necessitated (to their great discomfort and impoverishment of their land) to seek education and fortune abroad, misfortunes made incident to the said Catholiques of Ireland only (their numbers, qualitie, and loyaltie considered) of all the nations of Christendome.

2dly. That by this incapacitie, which in respect of their religion was imposed upon the said Catholiques, men of meane condition and qualitie, for the most part, were, in this kingdome, employed in places of the greatest honour and trust, who being to begin a fortune, built it on the ruins of the Catholic natives, att all times lying open to be discountenanced, and wrought upon, and who (because they would seeme to be carefull of the government) did from tyme to tyme suggest false and malicious matters against them, to render them suspected and odious in England; from which
 ungrounded

ungrounded informations, and their many other ill offices, these mischiefs have befallen the Catholiques of Ireland. First, the opposition given to all the graces and favours, that your majestie or your late royall father promised or intended to the natives of this kingdom; secondly, the procuring false inquisitions, upon feigned titles of their estates against many hundred years possession, and no travers or petition of right admitted thereunto, and jurors denying to find such offices were censured even to publique infamie and ruin of their estates, the finding thereof being against their consciences and their evidences, and nothing must stand against such offices taken of great and considerable parts of the kingdome, but letters pattent under the great seale; and if letters patent were produced (as in most cases they were) none must be allowed valid, nor yet sought to be legally avoided, for that of late times by the underhand working of Sir William Parsons, knight, now one of the lords justices here, and the arbitrary illegal power of the two impeached judges in parliament and others drawn by their advise and counsell, one hundred and fifty letters pattents were avoyded one morning, which course continued untill all the patents of the kingdome, to a few, were by them and their associates declared void; such was the care those ministers had of your majestie's great seale, being the publique faith of the kingdome. This way of service in shew only pretended for your majestie, proved to your disservice and to the immoderate, and too tymely advancement of the said ministers of state and their adherents, and nearly to the utter ruin of the said Catholiques.

3dly. That whereas your majestie's late royall father, King James, having a princely and fatherly care of this kingdome, was gratiouly pleased to graunt severall large and beneficiall commissions, under the great seale of England, and severall instructions, and letters under his privie signett, for passing and securing the estates of his subjects here by letters pattents under the great seale, and letters pattents accordingly were thereof passed, fines payed, old rentes encreased, and new rents reserved to the crowne; and the said late king was further gratiouly pleased, att severall tymes, to send divers honourable persons of integritie, knowledge and experience, to examine the grievances of this kingdome, and to settle and establish a course for redress thereof: and whereas your majestie was gratiouly pleased, in the fourth yeare of youre reign, to vouchsafe a favourable heareing to the grievances presented unto you, by agents from this kingdome, and thereupon did grant many graces and favours unto your subjects thereof, for securities of their estates,
and

and redress for remove of those heavy pressures, under which they have long groaned; which acts of justice and grace extended to this people by your majestie, and your said royal father, did afford them great content, yett such was, and is yett the immortall hatred of some of the said ministers of state, and especially of Sir William Parsons, the said impeached judges and their adherents to any welfare and happiness of this nation, and their ambition to make themselves still greater and richer, by the total ruine and extirpation of this people, that under pretence of your majestie's service, the public faith involved in those grants were violated, and the grace and goodness intended by two glorious kings successively, to a faithfull people, made unprofitable.

4th. The illegal, arbitrary, and unlawfull proceedings of the said Sir William Parsons, and one of the said impeached judges, and their adherents and instruments, in the court of wards, and the many wilfully erroneous decrees and judgments of that court, by which the heirs of Catholique noblemen and other Catholiques were most cruelly and tyrannically dealt withall, destroyed in their estates, and bred in dissolution and ignorance, their parents debts unsatisfied, their younger brothers and sisters left wholly unprovided for, the auncient and appearing tenures of mesne lords unregarded, estates valid in law and made for valuable considerations avoyded against law, and the whole land filled upp with the frequent swarms of exheators, feodaryes, pursuivants, and others, by authoritie of that court.

5th. The said Catholiques, notwithstanding the heavy pressures before-mentioned, and other grievances in part represented to your majestie by the late committees of both houses of parliament of this kingdome, (whereunto they humbly desire that relation being had, and redress obtained therein) did readily and without reluctance or repineing contribute to all the subsidies, loanes, and other extraordinary graunts made to your majestie in this kingdome, since the beginning of your reigne, amounting unto well neare one million of poundes, over and above your majestie's revenue, both certain and casual, and although the said Catholiques were in parliament and otherwise the most forward in graunting the said summes, and did beare nine parts of ten in the payments thereof, yett such was the power of their adversaries, and the advantage they gained by the opportunity of their continuall address to your majesty, to encrease their reputation by getting in of those monies, and their authoritie in the distribution thereof to your majestie's great disservice,

that

that they assumed to themselves to be the procurors thereof, and represented the said Catholiques as obstinate and refractory.

6th. The army raised for your majestie's service here, at the great charge of the kingdome, was disbanded by the pressing importunitie of the malignant partie in England, not giving way, that your majestie should take a desire therein with the parliament here, alledging the said army was Popish, and therefore not to be trusted, and although the world could witness the unwarrantable and unexampled invasion made by the malignant partie of the parliament of England, upon your majestie's honour, rights, prerogatives, and principal flowers of your crown; and that the said Sir William Parsons, Sir Adam Loftus, knight, your majestie's vice-treasurer of this kingdome, and others their adherents, did declare, that an army of ten thousand Scots was to arrive in this kingdome, to force the said Catholiques to change their religion, and that Ireland could never doe well without a rebellion, to the end the remaine of the natives thereof might be extirpated, and wagers were laid at a general assize and publique meetings by some of them then and now employed in places of greate profitt and trust in this kingdome, that within one yeare no Catholique should be left in Ireland; and that they saw the ancient and unquestionable privileges of the parliament of Ireland unjustly and against law encroached upon, by the orders, acts and proceedings of both houses of parliament in England in sending for and questioning to and in that parliament, the members of the parliament of this kingdome, sitting the parliament here; and that by speeches, and orders printed by authoritie of both houses in England, it was declared, that Ireland was bound by the statutes made in England, if named; which is contrary to known truth, and the laws here settled for foure hundred years and upwards; and that the Catholiques were thoroughly informed of the protestation of both houses of parliament of England against Catholiques, and of their intention to introduce lawes for the extirpation of Catholique religion in the three kingdomes, and that they had certain notice of the bloody execution of priests there, only for being priests, and that your majesty's mercy and power could not prevaile with them to save the lyfe of one condemned priest, and that the Catholiques of England being of their own flesh and blood, must suffer or depart the land, and consequently others not of so neere a relatione to them, if bound by their statutes, and within their power. These motives, although very strong and powerfull to produce apprehensions and fears in the said Catholiques, did not prevaile with them to take
defensive

defensive armes, much less offensive ; they still expecting, that your majesty in your high wisdom might be able in a short tyme to apply seasonable cures, and apt remedies unto those evils and innovations.

7th. That the committees of the lords and commons of this kingdom, having attended your majesty for the space of nine months, your majesty was graciously pleased, notwithstanding your then weightie and urgent affayres in England and Scotland, to receive, and very often with very great patience to hear their grievances, and many debates thereof at large ; during which debates, the said lords justices, and some of your privy councill of this kingdom and their adherents, by the malicious and untrue informations conveyed to some ministers of state in England (who since are declared of the malignant partie), and by their continuall solicitation of others of the said privy councill, gone to England of the purpose to cross and give impediment unto the justice and grace your majesty was inclined to afford to your subjects of this realme, did as much as in them lay, hinder the obtaining of any redress for the said grievances, and not prevailing therein by your majesty, as they expected, have by their letters and instruments, laboured with many leading members of the parliament there, to give stopp and interruption thereunto ; and likewise transmitted unto your majesty, and some of the state of England, sundry misconstructions and misrepresentations of the proceedings and actions of your parliament of this kingdom, and thereby endeavoured to possess your majesty with an evil opinion thereof, and that the said parliament had no power of judicature in capitall causes (which is an essential part of parliament), thereby aymeing at the importunitie of some of them, and others, who were then impeached of high treason, and at the destruction of this parliament, but the said lords justices and privy councill observing, that no art or practice of theirs could be powerfull to withdraw your majesty's grace and good intentions from his people, and that redress graunted of some particular grievances was to be passed as acts of parliament, the said lords justices and adherents, with the height of malice, envying the good union long before settled and continued between the members of the House of Commons, and their good correspondence with the Lords, left nothing unattempted, which might rayse discord and disunion in the said house, and by some of themselves and some instruments of theirs in the Commons House, private meetings of greates numbers of the said house were appointed of purpose to rayse distinction of nation and religion, by meanes

whereof a faction was made there, which tended much to the disquiet of the house and disturbance of your majestie's and the publiques service, and after certain knowledge, that the said committees were by the waterside in England, with fundry important and beneficial bills, and other graces, to be passed as acts in that parliament, of purpose to prevent the same, the said faction, by the practice of the said lords justices, and some of the said privy councill and their adherents, in a tumultuous and disorderly manner, on the seventh day of August, 1641, and on several days before, cryed out for an adjournment of the house; and being over voted by the voices of the more moderate partie, the said lords justices and their adherents told several honourable peers, that if they did not adjourne the Lords House on that day, being Saturday, that they themselves would prorogue or adjourn the parliament on the next Monday following, by means whereof, and of great numbers of proxies of noblemen, not estated, nor at any tyme resident in this kingdome (which is destructive to the libertye and freedom of parliaments here), the Lords House was on the said seventh day of August adjourned, and the House of Commons by occasion thereof, and of the faction aforesaid, adjourned soon after; by which means those bills and graces, according to your majestie's intention and the great expectation and longing desires of your people, could not then pass as acts of parliament.

Within few dayes after this fatal and enforced adjournment, the said committees arrived at Dublin, with their dispatch from your majestie, and presented the same to the lords justices and councill, expressing a right sense of the said adjournment, and besought their lordships, for the satisfaction of the people, to require short heads of that part of the dispatch, wherein your majestie did appeare in the best manner unto your people might be suddenly conveyed unto all the partes of the kingdome, attested by the said lords justices, to prevent despaire or misunderstanding. This was promised to be done, and an instrument drawn, and presented unto them for this purpose, and yet (as it seemes desiring rather to add fuell to the fire of the subjects discontents than quench the same) they did forbear to give any notice thereof to the people.

8th. After this, certain dangerous and pernicious petitions, contrived by the advise and councill of the said Sir William Parsons, Sir Adam Loftus, Sir John Clotworthy, Knights, Arthur Hill, Esq. and fundry other of the malignant partie, and signed by many thousands of the malignant partie in the
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citty of Dublin, in the province of Ulster, and in fundry other of the partes in this kingdome, directed to the Commons House in England, were at publique assizes and other publique places made known and read to many persons of qualitie in this kingdome; which petitions contayned matters destructive to the said Catholiques, their religion, lives, and estates, and were the more to be feared by reason of the active power of the said Sir John Clotworthy in the Commons House in England, in opposition to your majestie, and his barbarous and inhumane expressions in the house against Catholique religion and the possessors thereof. Soon after an order conceived in the Commons House in England, that no man should bowe unto the name of Jesus (att the sacred fount all knees should bend), came to the knowledge of the said Catholiques, and that the said malignant partie did contrive and plott, to extinguish their religion and nation. Hence it did arise, that some of the said Catholiques begun to consider the deplorable and desperate conditione they were in, by a statute law here found amongst the records of this kingdome of the second yeare of the raigne of the late Queen Elizabeth (but never executed in her tyme, nor discovered till most of the members of that parliament were dead,) by which no Catholique of this kingdome could enjoy his life, estate, or lyberty, if the said statute were executed, whereunto no impediment remayned but your majestie's prerogative and power; which were endeavoured to be clipped, or taken away, as before has been rehearsed; then the plott of destruction by an army out of Scotland, and another of the malignant partie in England must be executed, the feares of those two-fold destructions, and their ardent desire to maintaine that just prerogative, which might encounter and remove it, did necessitate some Catholiques in the north, about the 22d of October, 1641, to take armes in maintenance of their religion, your majestie's rights, and the preservation of life, estate, and libertie; and immediately thereuppon tooke a solemne oath, and sent severall declarations to the lords justices and councill to that effect, and humbly desired they might be heard in parliament, unto the determination whereof they were ready to submit themselves and their demands: which declarations being received, were slighted by the said lords justices, who by the swaying part of the said councill, and by the advise of the said two impeached judges, glad of any occasion to put off the parliament, which by the former adjournment was to meete soone after, caused a proclamation to be published on the 23d of the said month of October, 1641, therein accusing
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all the Catholiques of Ireland of disloyaltie, and thereby declaring, that the parliament was prorogued until the 26th of February following.

9th. Within few dayes after the said 23d day of October, 1641, many lords and other persons of ranke and qualitie, made their humble address to the said lords justices and councill, and made it evidently appeare to them, that the said prorogation was against law, and humbly besought the parliament might sit according to the former adjournment, which was then the only expedient, to compose or remove the then growing discontents and troubles of the land; and the said lords justices and their partie of the councill, then well knowing, that the members of both houses throughout the kingdome (a few in and about Dublin only excepted) would stay from the meeting of both houses, by reason of the said prorogation, did by proclamation two days before the time, give way the parliament might sitt, but so limited, that no act of grace, or any thing else for the peoples quiet or satisfaction, might be propounded and passed; and thereupon a few of the lords and commons appeared in the parliament house, who at the entrance of the castle bridge and gate, and within the yarde to the parliament house doore, and recesses from thence, were environed with a great number of armed men, with their matches lighted, and muskets presented even at the breasts of the members of both houses, none being permitted to bring one servant to attend him, or any weapon about him within the castle bridge, yet how then soever the houses were, or how much overawed, they both did supplicate the lords justices and councill, that they might continue for a tyme together, and expect the coming of the rest of both houses, to the end, that they might quiet the troubles in full parliament, and that some acts of securitie graunted by your majesty, and transmitted under the great seale of England, might pass, to settle the minds of your majestie's subjects; but to these requests, soe much conducing to your majesty's service, and settlement of your people, a flatt denyall was given; and the said lords justices and partie of the councill, by their working with their partie, in both houses of parliament, being very thyn as aforesaid, propounded an order should be conceived in parliament, that the said discontented gentlemen took armes in rebellious manner, which was resented much by the best affected of both houses; but being awed as aforesaid, and credibly informed, if some particular persons amongst them stood in opposition thereunto, that the said musketteers were directed to shoote

shoote them att their going out of the parliament house, through which terror, way was given to that order.

10th. Notwithstanding all the before mentioned provocations, preffures, and indignities, the farr greater and more considerable parte of the Catholiques, and all cittyes and corporations of Ireland, and whole provinces, stood quiet in their houses, whereupon the lords justices and their adherents well knowing, that many powerfull members of parliament in England stood in opposition to your majestie, made their application, and addrested their dispatches full fraught with calumnies and false suggestions against the Catholiques of this kingdome, and propounded unto them, to send several great forces to conquer this kingdome, those of the malignant partie here were by them armed; the Catholiques were not only denied armes, but were disarmed, even in the citty of Dublin, which in all succession of ages past, continued as loyall to the crown of England, as any citty or place whatsoever; all other auncient and loyall cittys and corporate towns of the kingdome (by means whereof principally the kingdome was preserved in former tymes) were denyed armes for their money to defend themselves, and expresse order given by the said lords justices, to disarm all Catholiques in some of the said cittyes and townes, others disfurnished, were inhibited to provide armes for their defence, and the said lords justices and councill having received an order, of both houses of parliament in England, to publish a proclamation of parliament of pardon unto all those, who were then in rebellion (as they termed it) in this kingdome, if they did submit by a day limited, the said Sir William Parsons, contrary to this order, soe wrought with his partie of the councill, that a proclamation was published of pardon only in two countyes, and a very short day prefixed, and therein all freeholders were excepted, through which every man saw that the estates of the Catholiques, were first aymed att, and their lives next. The said lords justices and their partie haveing advanced their design thus far, and not finding the success answerable to their desires, commanded Sir Charles Coote, knight and baronet, deceased, to march to the county of Wicklow, where he burnt, killed, and destroyed all in his way in a most cruell manner, man, woman, and childe; persons, that had not appearingly wills to doe hurt, nor power to execute it. Soone after some foote companies did march in the night by direction of the said lords justices and their said partie, to the towne of Sauntry in Fingal, three miles off Dublin, a country that neither then, nor for the space of four
or

or five hundred yeares before, did feel what troubles were, or war meant; but it was too sweet and too neare, and therefore fit to be forced to armes. In that town innocent husbandmen, some of them being Catholiques, and some Protestants taken for Catholiques, were murdered in their inn, and their heads carryed tryumphant into Dublin. Next morning, complaynt being made of this, no redrefs was obtayned therein, whereupon some gentleman of qualitie, and others the inhabitants of the country, seeing what was then acted, and what passed in the said last march towards the county of Wicklow, and justly fearing all to be murthered, forsook their houses, and were constrained to stand together in their own defence, though ill provided with armes and ammunition. Hereupon a proclamation was agreed upon at the board, on the 13th December, 1641, and not published or printed till the 15th of December; by which the said gentlemen and George Kinge, by name, were required to come in, by or upon the 18th of the same month, and safety was therein promised them. On the same day another proclamation was published, summoning the lords dwelling in the English Pale near Dublin, to a grand councill on the 17th of the said month; but the lords justices and their partie of the councill, to take away all hopes of accommodation, gave direction to the said Sir Charles Coote, the said 15th day of the said month of December, to march to Clontarffe, being the howse and town of the said George Kinge, and two miles from Dublin, to pillage, burn, kill and destroy all that was there to be found; which direction was readily and particularly observed, (in a manifest breach of public faith) by means whereof, the meeting of the said grand councill was diverted, the lords not daring to come within the power of such notorious faith breakers, the consideration whereof, and of other the matters aforesaid, made the nobility and gentry of the English Pale, and other parts of the province of Leinster, sensible of the present danger, and put themselves in the best posture they could for their natural defence. Wherefore they employed Lieutenant Collonel Read to present their humble remonstrance to your sacred majestie, and to declare unto you the state of their affayres, and humbly to beseech relief and redrefs; the said lieutenant collonel, though your majesties servant, and employed in public trust (in which case the law of nations affords safety and protection) was without regard to either, not only stopt from proceeding in his employment, but also tortured on the rack at Dublin.

11th. The lord president of Munster, by direction of the said lords justices
(that

(that province being quiet) with his accomplices, burnt, preyed, and put to death, men, women, and children, without making any difference of qualitie, condition, age, or sex, in several parts of that province; the Catholique nobles and gentlemen there were mistrusted and threatened, and others of inferior qualitie, trusted and furnished with armes and ammunition. The province of Connaught was used in the like measure, whereupon most of the considerable Catholiques in both the said provinces, were inforced (without armes and ammunition) to look after their safety, and to that end did stand on their defence, still expecting your majesties pleasure, and always ready to obey your commands. Now the plott of the said ministers of state and their adherents being even ripe, applications were incessantly by them made to the malignant partie in England, to deprive this people of all hopes of your majesties justice or mercie, and to plant a perpetual enmity between the English and Scottish nations, and your subjects of this kingdome.

12th. That whereas this your majesties kingdome of Ireland in all succession of ages, since the raigne of King Henry the Second, sometime king of England and lord of Ireland, had parliaments of their owne, composed of lords and commons, in the same manner and forme, qualified with equal liberties, powers, priviledges, and immunities with the parliament of England, and onely depend of the king and crowne of England and Ireland, and for all that time, no prevalent record or authentic precedent can be found, that any statute made in England could or did bind this kingdome before the same were here established by parliament: yet upon untrue suggestions and informations given of your subjects of Ireland, an act of parliament, entitled *An Act for the speedie and effectual reducing the Rebels in his Majesties kingdome of Ireland to their due obedience to his Majesty and the Crowne of England*; and another act entitled *An Acte for adding unto and explayning the said former act*, was procured to be enacted in the said parliament of England, in the eighteenth yeare of your majesties reign, by which acts and other proclamations your majesty's subjects unsummoned unheard, were declared rebels, and two millions and a half of acres of arable meadow, and profitable pasture, within this kingdom sold to undertakers for certaine summes of monie, and the edifices, loghs, woodes, and bogges, wastes and other appurtenances, were thereby mentioned to be granted and passed *gratis*, which acts the said Catholiques doe conceive to have been forced upon your majestie, and although void and unjust in themselves to all purposes, yet contain

matters of evil consequences and extreme prejudice to your majesty, and totally destructive to this nation. The scope seeming to aime at rebells only, and at the disposition of a certaine quantitie of land, but in effect and substance, all the lands in the kingdome, by the words of the said acts, may be distributed, in whose possession soever they were, without respect to age, condition, or qualitie, and all your majesties tenures, and the greatest part of your majesties standing revenue in this kingdome, taken away: and by the said acts, if they were of force, all power of pardoning and of granting those lands, is taken from your majesty. A president, that no age can instance the like. Against this act the Catholiques do protest, as an act against the fundamental lawes of this kingdome, and as an act destructive to your majesties rights and prerogatives, by colour whereof, most of the forces sent hither to infest this kingdome by sea and land, disavowed any authoritie from your majestie, but to depend upon the parliament of England.

13th. All strangers, and such as were not inhabitants of the citty of Dublin, being commanded by the said lords justices in and since the said month of November, 1641, to depart the said city, were no sooner departed, than they were, by the directions of the said lords justices, pillaged abroad, and their goods seized upon and confiscated in Dublin, and they desiring to return under the protection and safetie of the state, before their appearance in action, were denied the same, and divers other persons of rank and qualitie, by the said lords justices employed in publique service, and others keeping close within their doores, without annoying any man, or siding then with any of the said Catholiques in armes, and others in severall parts of the kingdome living under, and haveing the protection and safety of the state, were soon pillaged and their howses burnt; themselves, their tenants, and servants killed and destroyed, and that by the open direction of the said lords justices; and by the like direction, when any commander in chiefe of the army, promised or gave quarter or protection, the same was in all cases violated, and many persons of qualitie, who obtained the same, were ruined before others; others, that came into Dublin voluntarily, and that could not be justly suspected of any crime, if Irishmen or Catholiques, by the like direction were pillaged in Dublin, robbed and pillaged abroad, and brought to their tryall for their lives. The citties of Dublin and Cork, and the ancient corporate townes of Drogheda, Yeoghal, and Kingfale, who voluntary received garri-fons in your majestie's name, and the adjacent cuntryes, who relieved them,
were

were worfe used; and now live in worfe condition, than the Ifraelites did in Egypt; fo that it will be made appear, that more murders, breaches of publique faith and quarter, more deftruction and defolation, more cruelty, not fit to be named, were committed in Ireland, by the direction and advice of the faid lords justices and their partie of the faid councill, in lefs than eightene months, than can be paralleled to have been done by any Christian people.

14th. The faid lords justices and their adherents have, againft the fundamental lawes of the lande, procured the fitting of both houfes of parliament for feveral feffions (nine parts of ten of the naturall and genuine members thereof being abfent, it ftanding not with their fafety to come under their power), and made up a confiderable number in the Houfe of Commons of clerks, foldiers, ferveing men, and others, not legally or not chofen at all or returned, and haveing no manner of eftate in the kingdome, in which fitting fundry orders were conceived, and difmiffes obtayned of perfons before impeached of treason in full parliament, or which paffed, or might have paffed fome acts againft law, and to the prejudice of your majeftie, and this whole nation. And during thefe troubles, terms were kept, and your majeftie's court of cheefe place, and other courts fat at Dublin, to no other end or purpofe, but by falfe and illegal judgments, outlawries, and other capital proceedings, to attaint many thoufands of your majeftie's moft faithfull fubjects of this kingdome; they being never fummoned nor haveing notice of thofe proceedings, and fheriffs made of obfcure and meane perfons, by the like practice appointed of purpofe; and poor artificers, common foldiers, and menial fervants, returned jurors, to pafs upon the lives and eftates of thofe, who came in upon protection and publique faith.

Therefore the faid Catholiques, in the behalfe of themfelves and of the whole kingdome of Ireland, doe proteft and declare againft the faid proceedings, in the nature of parliaments, and in the other courts aforefaid, and every of them, as being heynous crimes againft law, deftructive to parliaments and your majeftie's prerogative and authoritie, and the rights and juft liberties of your moft faithfull fubjects.

Forasmuch, dread fovereigne, as the speedy application of apt remedies unto thefe grievances and heavie preffures, will tend to the fettlement and improvement of your majeftie's revenue, the prevention of further effufion of blood, the prefervation of this kingdome from defolation, and the content and

satisfaction of your said subjects, who, in manifestation of their duty and zeal to your majesty's service, will be most willing and ready to employ ten thousand men under the conduct of well experienced commanders, in defence of your royal rights and prerogatives, they therefore most humbly beseech your majestie, that you will vouchsafe gracious answers to these their humble and just complaynts, and for the establishment of your people in a lasting peace and securitie, the said Catholiques doe most humbly pray, that your majestie may be further gratioously pleased to call a free parliament in this kingdome in such convenient tyme, as your majestie in your high wisdom shall think fitt, and urgencie of the present affairs of the saide kingdome doth require, and that the said parliament be held in a different place, summoned bye and continued before some person or persons of honour and fortune, of approved faith to your majestie, and acceptable to your people here; and to be tymely placed by your majestie in this government, which is most necessary for the advancement of your service and present condition of the kingdome, in which parliament the said Catholiques doe humbly pray, these or other grievances may be redressed, and that in the said parliament a statute made in this kingdome in the tenth yeare of King Henry the Seventh, commonly called Poyning's, and all acts explayneing, or enlarging the same, be by a particular act suspended during that parliament, as it hath been already done in the eleventh year of Queen Elizabeth, upon occasions of far less moment, than now doe offer themselves: and that your majestie, with the advice of the said parliament, will be pleased to take a course for the further repealing, or further continuance of the said statutes, as may best conduce to the advancement of your service here, and peace of this your realme, and that no matter whereof complaint is made in this remonstrance, may debar Catholiques, or give interruption to their free votes, or sitting in the said parliament; and as in duty bound they will ever pray for your majestie's long and prosperous reigne over them.

Wee the undernamed being thereunto authorized, doe present and signe this Remonstrance in the behalfe of the Catholiques of Ireland, dated this 17th day of March, 1642,

Gormanston,	Lucas Dillon,
Robert Talbott,	John Walsh.

According to your majestie's commission to us directed, we have received
this

this Remonstrance, subscribed by the Lord Viscount Gormanston, Sir Lucas Dillon, Knight, Sir Robert Talbott, Bart. and John Walsh, Esq. authorised by, and in the behalfe of the recusants of Ireland, to present the same unto us, to be transmitted to your sacred majesty, dated the 17th day of March, 1642.

Clanrickard and St. Albans,	Roscommon,
Moore,	Mau. Eustace.

No. XXIX.

(Page 144.)

WHEREAS his majesty's most faithful subjects, the confederate Catholics of Ireland, were enforced to take arms, for the preservation of their religion, for the defence of his majesty's just prerogative and rights, and for the maintenance of the rights and liberties of their country, laboured to be destroyed by the malignant party; and whereas his majesty in his high wisdom, and in his princely care of his said subjects welfare and safety, and their humble suit, that his majesty might be graciously pleased to hear their grievances, and vouchsafe redress therein, did direct there should be a cessation of arms, and thereupon did direct the Right Honourable the Marquis of Ormond, to treat of, and conclude the said cessation with the said confederate Catholics; Know ye, that the supreme council, by express order and authority of the said Catholics, by them conceived and granted in their general assembly at Kilkenny, on the 20th day of the last month of May; and in pursuance of the said order and authority, reposing special trust and confidence in the wisdom, circumspection, and provident care, honour, and sincerity of our very good lords, Nicholas Lord Viscount Gormanstown, Donough Lord Viscount Muskerry, and our well-beloved Sir Lucas Dillon, Knight; Sir Robert Talbot, Bart. Tirlagh O'Niel, Esq. Geoffry Brown, Esq. Ever. Macgennis, Esq. and John Walsh, Esq. have constituted, appointed, and ordained the said Nicholas Lord Viscount Gormanstown, Donough Lord Viscount Muskerry, &c. our commissioners; and do by these presents give and grant to our commissioners, or any five or more of them, full power and authority to treat with the said Lord Marquis of Ormond, of a cessation of arms, for

one

one whole year, or shorter, and to conclude the same for the time aforesaid, upon such terms, conditions, or articles, as to the commissioners aforesaid, in their judgments, consciences, and discretions, shall be thought fit and expedient; by these presents ratifying and confirming whatever act or acts our commissioners shall do or execute concerning the said cessation. Given at Kilkenny, the 23d of June, 1643.

Mountgarret,
Castlehaven, Audly,
Malach. Archiep. Tuam.
Fleming, Archiep. Dub.
Maurit. de Rupe et
Fermoy,

Netterville,
Nich. Plunkett,
Edmund Fitzmorrice,
Patrick Darcy,
Robert Lynch,
Richard Belling.

No. XXX.

The KING to the MARQUESS OF ORMONDE, sent by Mr. BRENT. (P.145.)

ORMONDE,

THIS honest bearer, Mr. Brent, going about my special service, I thought it necessary to recommend him and his business to you. It is chiefly for a supply of powder, which, on my word, is of more consequence for my service, than is fit for me to tell you by writing. I shall say no more for this time; but that very shortly you shall have full power and instructions to make the Irish peace, by Brian O'Neile. So I rest,

Your most assured, constant, real friend,

Bewdly, 13 June, 1644.

CHARLES R.

The KING to the MARQUESS OF ORMONDE, sent by SIR BRIAN O'NEIL.

ORMONDE,

I AM not ignorant how hard a part I put upon you in transferring to you the treaty, and the power to conclude peace with the Irish: nor would I have you ignorant of that necessity in the condition of my

my affairs here, which inforces me to it; and therefore I have commanded Digby to inform you more at large. I shall only say thus much to you, that I consider you as a person so entirely addicted to my service, as that you will not be deterred by difficulties from what may so much conduce to it, as the easing me at present of that treaty; wherein if I should do that here, which perhaps may be necessary there (even to the preservation of the kingdom), it might, through indisposition here, be of dangerous consequence to the main of my affairs. And I am very confident, that you will be secured from all apprehensions concerning yourself in the resolution to run the same fortune with me, which if it please God, that it prove good, you may promise yourself such a part in, as may be obtained by your having me for

Your most assured, constant friend,

Bath, 17 July, 1644.

CHARLES R.

The KING to the MARQUESS OF ORMONDE, sent by the EARL OF GLAMORGAN.

ORMONDE,

MY Lord Herbert having business of his own in Ireland (wherein I desire you to do him all lawful favor and furtherance), I have thought good to use the power I have, both in his affection and duty, to engage him in all possible ways, to further the peace there; which he hath promised to do. Wherefore (as you find occasion) you may confidently use and trust him in this, or any other thing he shall propound to you for my service; there being none, in whose honesty and zeal, to my person and crown, I have more confidence. So I rest,

Your most assured, constant friend,

Oxford, 27 Dec. 1644.

CHARLES R.

To this letter was added the following postscript in cypher:

His honesty or affection to my service will not deceive you; but I will not answer for his judgment.

The

The KING to the MARQUESS OF ORMONDE.

ORMONDE,

UPON the great rumours and expectations which are now of a peace, I think it necessary to tell you the true state of it, lest mistaken reports from hence might trouble my affairs there.

The rebels here have agreed to treat, and most assuredly one of the first and chiefest articles they will insist on, will be to continue the Irish war; which is a point not popular for me to break on; of which you are to make a double use; first, to hasten (with all possible diligence) the peace there; the timely conclusion of which, will take off that inconvenience, which otherwise I may be subject to, by the refusal of that article upon any other reason. Secondly, by dexterously conveying to the Irish the danger there may be of their total and perpetual exclusion from those favours I intend them, in case the rebels here clap up peace with me upon reasonable terms, and only exclude them; which possibly were not counsellable for me to refuse, if the Irish peace should be the only difference betwixt us, before it were perfected there. These, I hope, are sufficient grounds for you to persuade the Irish diligently to dispatch a peace upon reasonable terms, assuring them, that you having once engaged to them my word in the conclusion of a peace, all the earth shall not make me break it. But not doubting of a peace, I must again remember you to press the Irish for their speedy assistance to me here, and their friends in Scotland; my intention being to draw from thence into Wales (the peace once concluded) as many as I can of my armed Protestant subjects, and desire, that the Irish would send as great a body as they can to land about Cumberland; which will put those northern counties into a brave condition. Wherefore you must take speedy order to provide all the shipping you may, as well Dunkirk, as Irish, bottoms; and remember, that after March it will be most difficult to transport men from Ireland to England, the rebels being masters of the seas.

So expecting a diligent and particular account in answer to this letter, I rest,

Your most assured friend,

CHARLES R.

9th June, 1644.

The

The KING to the MARQUIS of ORMONDE.

ORMONDE,

I AM forry to find by Colonel Barry the sad conditions of your particular fortune, for which I cannot find so good and speedy remedy as the peace of Ireland (it being likewise most necessary to redress my affairs here); wherefore I command you to dispatch it out of hand; for the doing of which, I hope my public dispatch will give you sufficient instruction and power, yet I have thought it necessary (for your more encouragement in this necessary work) to make this addition with my own hand.

As for Poyning's Act, I refer you to my other letter; and for matter of religion, though I have not found it fit to take public notice of the paper, which Browne gave you, yet I must command you to give him, the Lord Muskery and Plunket particular thanks for it, assuring them that without it there could have been no peace, and that sticking to it, their nation in general, and they in particular, shall have comfort in what they have done. And to shew, that this is more than words, I do hereby promise them (and command you to see it done) that the penal statutes against Roman Catholics shall not be put in execution, the peace being made, and they remaining in their due obedience. And further, that when the Irish give me that assistance, which they have promised, for the suppressing of this rebellion, and I shall be restored to my rights, then I will consent to the repeal of them by a law.

But all those against appeals to Rome and Præmunire must stand. All this in cypher you must impart to none but those three already named, and that with injunction of strictest secrecy.

So again recommending to your care the speedy dispatch of the peace of Ireland, and my necessary supply from thence, as I wrote to you in my last private letter, I rest

Your most assured constant friend,

Oxford, 18 Jan. 1644-5.

CHARLES R.

In case, upon particular mens fancies, the Irish peace should not be procured upon the powers I have already given you, I have thought fit to give you this further order (which I hope will prove needless), to endeavour to renew the cessation for a year; for which you shall promise the Irish (if you

can have it no cheaper) to join with them against the Scots and Inchiquins ; for I hope by that time, my condition may be such as the Irish may be glad to accept less, or I able to grant more.

No. XXXI.

(Page 151.)

CHARLES by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, &c. to our right trusty and right well-beloved cousin, Edward Somerset, alias Plantagenet, Lord Herbert, Baron Beauford of Caldicote, Grismond, Chepstow, Ragland, and Gower, Earl of Glamorgan, son and heir apparent of our intirely beloved cousin Henry Earl and Marquis of Worcester, greeting. Having had good and long experience of your prowess, prudence, and fidelity, do make choice, and by these nominate and appoint you, our right trusty and right well-beloved cousin, Edward Somerset, &c. to be our generalissimo of three armies, English, Irish, and foreign, and admiral of a fleet at sea, with power to recommend your lieutenant-general for our approbation, leaving all other officers to your own election and denomination, and accordingly to receive their commissions from you ; willing and commanding them, and every of them, you to obey, as their general, and you to receive immediate orders from ourself only. And lest through distance of place we may be misinformed, we will and command you to reply unto us, if any of our orders should thwart or hinder any of your designs for our service. And there being necessary great sums of money to the carrying on so chargeable an employment, which we have not to furnish you withal ; we do by these empower you to contract with any of our loving subjects of England, Ireland, and dominion of Wales, for wardships, customs, woods, or any our rights and prerogatives ; we by these obliging ourselves, our heirs, and successors, to confirm and make good the same accordingly. And for persons of generosity, for whom titles of honour are most desirable, we have intrusted you with several patents under our great seal of England, from a marquis to a baronet, which we give you full power and authority to date and dispose of, without knowing our further pleasure, so great is our trust and confidence in you, as that whatsoever you do contract

tract for or promise, we will make good the same accordingly, from the date of this our commission forwards; which for the better satisfaction, we give you leave to give them, or any of them, copies thereof, attested under your hand and seal of arms. And for your own encouragement, and in token of our gratitude, we give and allow you henceforward such fees, titles, preeminences, and privileges, as do and may belong unto your place and command above mentioned, with a promise of our dear daughter Elizabeth to your son Plantagenet in marriage, with three hundred thousand pounds in dower or portion, most part whereof we acknowledge spent and disbursed by your father and you in our service; and the title of Duke of Somerset to you and your heirs male for ever; and from henceforward to give the Garter to your arms, and at your pleasure to put on the George and blue ribbon. And for your greater honour, and in testimony of our reality, we have with our own hand affixed our great seal of England unto these our commission and letters, making them patents. Witness ourself at Oxford, the 1st day of April, in the 20th year of our reign, and the year of our Lord one thousand six hundred and forty-four.

No. XXXII.

(Page 152.)

CHARLES R.

WHEREAS we have had sufficient and ample testimony of your approved wisdom and fidelity, so great is the confidence we repose in you, as that whatsoever you shall perform, as warranted under our sign manual, pocket signet, or private mark, or even by word of mouth, without farther ceremony, we do in the word of a King and a Christian, promise to make good, to all intents and purposes, as effectually, as if your authority from us had been under the great seal of England, with this advantage, that we shall esteem ourselves the more obliged to you for your gallantry, in not standing upon such nice terms to do us service, which we shall, God willing, reward. And although you exceed what law can warrant, or any powers of ours reach unto, as not knowing what you have need of; yet it being for our service, we oblige ourself, not only to give you our pardon, but to maintain the same

with all our might and power; and though either by accident, or by any other occasion, you shall deem it necessary to deposite any of our warrants, and so want them at your return, we faithfully promise to make them good at your return, and to supply any thing, wherein they shall be found defective, it not being convenient for us at this time to dispute upon them; for of what we have here set down you may rest confident, if there be faith and truth in men. Proceed therefore cheerfully, speedily, and boldly; and for your so doing, this shall be your sufficient warrant.

Given at our court at Oxford under our sign manual and private signet, this 12th of January, 1644.

CHARLES R.

CHARLES by the grace of God, of England, Scotland, France, and Ireland, defender of the faith, &c. to our trusty and right well-beloved cousin, Edward Earl of Glamorgan, greeting. We reposing great and especial trust and confidence in your approved wisdom and fidelity, do by these (as firmly as under our great seal, to all intents and purposes) authorize and give you power, to treat and conclude with the Confederate Roman Catholics in our kingdom of Ireland, if upon necessity any be to be condescended unto, wherein our lieutenant cannot so well be seen in, as not fit for us at present publickly to own. Therefore we charge you to proceed according to this our warrant, with all possible secrecy, and for whatsoever you shall engage yourself, upon such valuable considerations, as you in your judgment shall deem fit, we promise on the word of a King and a Christian, to ratify and perform the same, that shall be granted by you, and under your hand and seal; the said Confederate Catholics having by their supplies testified their zeal to our service. And this shall be in each particular to you a sufficient warrant. Given at our court at Oxford, under our signet and royal signature, the 12th of March, in the twentieth year of our reign, 1644.

No. XXXIII.

The KING's Letter to the ARCHBISHOP OF FERMO. (Page 152.)

SIR,

HEARING of your resolution for Ireland, we do not doubt but that things will go well; and that the good intentions begun by means of the last Pope will be accomplished by the present, by your means, in our kingdom of Ireland and England, you joining with our dear cousin, the Earl of Glamorgan, with whom whatever you shall resolve, we shall think ourselves obliged to, and perform it at his return. His great merits oblige us to this confidence, which we repose in him above all, having known him above twenty years; during which time he has always signally advanced himself in our good esteem, and by all kinds of means carried the prize above all our subjects. This being joined to the consideration of his blood, you may well judge of the affection, which we have particularly for him, and that nothing shall be wanting on our part, to perfect what he shall oblige himself to in our name, in consideration of the favors received by your means. Confide therefore in him; but in the mean while, according to the directions we have given him, how important it is, that the affair should be kept secret, there is no occasion to persuade you, nor to recommend it to you, since you see, that the necessity of the thing itself requires it. This is the first letter we have ever written immediately to any minister of state of the Pope, hoping, that it will not be the last; but that after the said earl and you shall have concerted your measures, we shall openly shew ourself, as we have assured him,

Your friend,

CHARLES R.

From our Court at Oxford, 30th April, 1645.

Extract of a Letter to the QUEEN, dated the 2d of March, 1645, from Cardinal Pamphilio, delivered to her Majesty at Paris, by Signor Spinola, in which his Eminence observed,

THAT he had been lately informed, how extremely desirous the king and queen of England were of a peace with the Irish, that they might have the assistance

assistance of that nation in the distressed situation of their affairs in England: that this was likewise the most ardent wish of his holiness and the nuncio now sent by him, of the royal party in England, Ireland, and Scotland, both orthodox and heterodox, of the queen regent of France, and of Cardinal Mazarin, the minister of state there: and that only the parliamentary rebels and the heretics, who adhered to them (for there was scarce any one Catholic, who did not espouse the royal cause) were full of dreadful apprehensions, lest the king should triumph by the assistance of the Catholics, especially the Irish; since those most profligate of all rebels since the creation being detested by and detesting the Irish, presaged nothing but their own absolute destruction from such an event.

No. XXXIV.

Letter of the MARQUIS OF ORMOND to the LORD MUSKERRY. (P. 152.)

MY LORD,

THOUGH I am perswaded, that the points, which you and the other deputies have agreed to in the presence of my Lord Glamorgan and myself, are still fresh in your memory: yet considering, that the weight and importance of a timely execution of the business, which you then were inclined to expedite, is now twice as great as it was before, on account as well of some incidents, which have lately happened in England, as of your own security, and observing, that in our meeting on this affair you expressed a desire, that I should act in concert with my Lord Glamorgan; I think it necessary, that I should remind, and in this way acquaint your lordship with that, which I could not insist on in his lordship's presence, without offending his modesty, and incurring the imputation of flattery. What I have to say in short is this, that I know no subject in England, upon whose favour and authority with his majesty, and real and innate nobility you can better rely, than upon his lordship's; nor (if that has any weight with you) any person, whom I would more endeavour to serve in those things, which he shall undertake for the service of his majesty, or with whom I shall sooner agree for the benefit of this kingdom. I rest,

Your lordship's

Most affectionate servant and brother,

Dublin, August 11, 1645.

ORMONDE.

No. XXXV.

The Preamble to and Conditions of the secret Treaty of the Confederates concluded with the Earl of Glamorgan on the 25th of August, 1645-6.

(P. 153.)

WHEREAS much time has been spent in meetings and debates, between his Excellency James Lord Marquis of Ormonde, lord lieutenant and general governor of his majesty's kingdom of Ireland, commissioner to the king's most excellent majesty Charles, by the grace of God, king of Great Britain, France, and Ireland, &c. for the treating and concluding of a peace in the said kingdom with his majesty's humble and loyal subjects, the confederate and Roman Catholics of the said kingdom of Ireland, of the one part, and the Right Honourable Donogh Lord Viscount Muskerry, and others, commissioners deputed and authorised by the said confederate Roman Catholic subjects of the other part: and thereupon many difficulties did arise, by occasion whereof sundry matters of weight and consequence, necessarily requisite to be condescended unto by his majesty's said commissioner for the safety of the said confederate Roman Catholics, were not hitherto agreed upon; which retarded, and doth as yet retard, the conclusion of a firm peace and settlement in the said kingdom: and whereas the Right Honourable Edward Earl of Glamorgan is intrusted and authorised by his most excellent majesty, to grant and assure to the said confederate Catholic subjects further grace and favours, which the said lord lieutenant did not as yet in that latitude, as they expected, grant unto them; and the said earl having seriously considered of all means and due circumstances of the great affairs now in agitation, which is the peace and quiet of the said kingdom, and the importance thereof in order to his majesty's service, and in relation to a peace and settlement in his other kingdoms; and here, upon the place, having seen the ardent desire of the said Catholics to assist his majesty against all, that do or shall oppose his royal right or monarchic government, and having discerned the alacrity and chearfulness of the said Catholics to embrace honourable conditions of peace, which may preserve their religion and other just interests: in pursuance therefore of his majesty's authority under his highness's signature royal and signet, bearing date at Oxon, the 12th of March, in the twentieth year of his majesty's reign, granted unto the said Earl of Glamorgan; the tenour whereof is as followeth, viz. Charles R. &c. [*ut supra.*]

By

By this treaty it was accorded and agreed between the said Earl of Glamorgan for and on behalf of his majesty, his heirs and successors on the one part, and Richard Lord Viscount Mountgarret, lord president of the supreme council of the confederate Catholics, Donogh Lord Viscount Muskerry, &c. commissioners appointed by the said confederate Roman Catholics, on the other part:

1st. That all the professors of the Roman Catholic religion in Ireland shall enjoy the free and public use and exercise of their religion.

2d. That they shall hold and enjoy all the churches by them enjoyed within that kingdom, or by them possessed at any time since the 23d of October, 1641, and all other churches in the said kingdom, other than such, as are now actually enjoyed by his majesty's Protestant subjects.

3d. That all Roman Catholics shall be exempted from the jurisdiction of the Protestant clergy; and that the Roman Catholic clergy shall not be punished or molested for the exercise of their jurisdiction over their respective Catholic flock.

4th. That the following act shall be passed in the next parliament to be holden in Ireland. [Here is inserted the form of an act for securing all the king's concessions to the Catholics.]

5th. That the Marquis of Ormonde, or any others, shall not disturb the professors of the Roman Catholic religion in possession of the articles above specified.

6th. The Earl of Glamorgan engages his majesty's word for the performance of those articles.

7th. That the public faith of the kingdom shall be engaged unto the said earl by the commissioners of the confederate Catholics, for sending ten thousand men by order and public declaration of the general assembly at Kilkenny, armed, the one half with muskets, and the other half with pikes, to serve his majesty in England, Wales, or Scotland, under the command of the said Earl of Glamorgan, as lord general of the said army; which army is to be kept together in one intire body; and all other the officers and commanders of the said army are to be named by the supreme council of the said confederate Catholics, or by such others, as the general assembly of the said confederate Catholics of Ireland shall intrust therewith.

The Irish commissioners engaged their word and faith of the supreme council of Kilkenny, that two thirds of the clergy's revenue should be employed for

for the space of three years towards the maintenance of the ten thousand men, the other third being reserved for the clergy's subsistence.

There was likewise an explanation of the article, concerning the clergy-livings; upon which the following instrument was made:

" Whereas in these articles touching the clergy-livings, the Right Honour
 " able the Earl of Glamorgan is obliged in his majesty's behalf to secure the
 " concessions in these articles by act of parliament: We holding that manner
 " of securing those grants, as to the clergy-livings, to prove more difficult
 " and prejudicial to his majesty than by doing thereof, and securing those
 " concessions otherwise, as to the said livings, the said earl undertaking
 " and promising in behalf of his majesty, his heirs and successors, as hereby
 " he doth undertake to settle the said concessions, and secure them to the
 " clergy and their respective successors, in another secure way, other than
 " by parliament at present, till a fit opportunity be offered for securing the
 " same, do agree and condescend thereunto. And this instrument by his
 " lordship signed was, before the perfecting thereof, intended to that pur-
 " pose, as to the said livings, to which purpose, we have mutually signed this
 " endorsement. And it is further intended, that the Catholic Clergy shall
 " not be interrupted by parliament, or otherwise, as to the said livings, con-
 " trary to the meaning of these articles."

The earl added also the following protestation or oath: " I Edward, Earl
 " of Glamorgan, do protest and swear, faithfully to acquaint the king's most
 " excellent majesty, with the proceedings of this kingdom, in order to his
 " service, and to the endearment of this nation, and punctual performance of
 " what I have (as authorized by his majesty) obliged myself to see performed;
 " and, in default, not to permit the army intrusted to my charge to adven-
 " ture itself, or any considerable part thereof, until these conditions from his
 " majesty and by his majesty be performed. GLAMORGAN."

But the general assembly at Kilkenny, being apprehensive, that the execu-
 tion of this treaty of peace might meet with opposition from a Protestant
 Lord Lieutenant, made the following order, on the 28th of August, 1645,
 viz. " The General Assembly order and declare, that their union and oath of
 association shall remain firm and inviolable, and in full strength, in all points,
 and to all purposes, untill the articles of the intended peace shall be ratified in
 parliament, notwithstanding any proclamation of the peace, &c.

No. XXXVI.

Letter from the MARQUIS of ORMOND to the EARL of GLAMORGAN.

(Page 153.)

MY LORD,

I RECEIVE your gratulation and advices for my future security, as evident testimonys of your continued favour to mee, and am much joyed to finde, that the accidents fallen out concerning your lordship have not left any impression on you to the prejudice of the real affection you give me leave to bear you.

My lord, I had, according to my promise, given you a large account of things here, but that at the concluding of the articles wee found ourselves so freightned in time, that many material partes of the agreement were faine to bee put in another way, than was first thought of; and at this instant I am so pressed with important dispatches from Kilkenny, that I shall bee able but shortly and confusedly to give you a returne to the main parte of your lordship's of the third of this month, which came to my hands yesterday about noone.

Touching the noble and large offer you are pleased to make of shipping, armes, ammunition, and traine of artillery for the king's service, in case you may receive assurances from those in power among the confederates and from me, that ten thousand men shall be ready against your returne to be transported to serve the king in England, I returne your lordship this answer, that I shall and by this letter doe cheerefully oblige myself for as much as shall be in my power, either in my publick or private capacity, to have that number of men in readines you expect; and to compose it, am contented all the remainder of my fortune should stand engaged. If your lordship can procure as much as this from the other party, I conceive you will proceed in your intended voiage with satisfaction, and returne I hope with successe, which is earnestly wished by

Your lordship's

Most faithfull

And affectionate

Dub. Cast. the 6th of April, 1646.

And humble servant,

ORMOND.

*To the Right Honourable my very good Lord
the Earl of Glamorgan, att Waterford.*

No. XXXVII.

(Page 154.)

HERBERT,

YOUR's of the first of December has given me a just reason for your absence: but certainlie I have juster cause to requyre your attendance; for it is well known, how that you ar to give me account of matters, not onlie for my owen particular use, but lykewais for the good of the kingdome. Wherefor I requyre you repaire hither with all convenient diligence; and the reather, that you may the better fynde out the authors of those lying and scandlous pamphlets concerning your father and you; touching which I not onlie promise you protection to your innocencie, but justice against those offenders; assuring you lykewise, that I shall be so myndful of you, that, if I live, you shall neither be a looser in, nor repent you for, the services you have done me. And so I rest

Your assured friend,

Whythall, the 11th of December, 1641.

CHARLES R.

I send you herein the paper, that I could not fynde, when ye was last with me.

HERBERT,

YOUR services ar expressed to me in so noble a way, that I cannot but acknowled it to you under my owen hand, and that I shall thinke myselfe very unhappie, if I did not live, by reall testimonies, to express my gratitud to you. For the blankes, I have sent them according to your desyre: and for your sister Carnarvan, though I cannot punctuallie answer your expectation therein, yet I hope you will be satisfied with the answer you will receive by your cousin Sir John Biron; to whom referring myself for manie things I have not tyme to write, I rest

Your most assured friend,

Royston, 6th March, 1641.

CHARLES R.

HERBERT,

I INTRUSTED your cousin Biron with the particular answers to your letter; reserving only to myselfe to assure you, that I

esteeme your servises such, as my words cannot expresse them, but by shewing my selfe at all occasions to be

Your most assured constant friend,

York, 9th May, 1642.

CHARLES R.

GLAMORGAN,

Hereford, 23d June, 1645.

I AM glad to heare, that you are gone to Ireland; and assure you, that as my selfe is no waies dishartened by our late misfortune, so neither this country: for I could not have expected more from them, than they have now freely undertaken, though I had come hither absolute victorious; which makes me hope well of the neighbouring sheeres. So that (by the grace of God) I hope shortly to recover my late losse with advantage, if such succours come to me from that kingdom, which I have reason to expect. But the circumstance of tyme is that of the greatest consequence; being that, which is now chiefliest and earnestliest recommended to you by

Your most assured constant friend,

CHARLES R.

GLAMORGAN,

I MUST clearly tell you, bothe you and I have been abused in this business; for you have beene drawn to consent to conditions much beyound your instructions, and your treaty hath beene divulged to all the world. If you had advysed with my lord lieutenant (as you promised me), all this had beene helped. But we must looke forward. Wherefore in a word, I have commanded as much favor to be shewen to you, as may possibly stand with my service or safety, and if you will yet trust my advice, (which I have commanded Digby to give you freely) I will bring you so off, that you may be still usefull to me; and I shall be able to recompence you for your affection: if not, I cannot tell what to say. But I will not doubt of your compliance in this; since it so highly concerns the good of all my crowns, my owen particular, and to make me have still means to shew my selfe

Your most assured friend,

Oxford, 3d February, 1645.

CHARLES R.

HERBERT,

I AM confident, that this honnest trusty bearer will give you good satisfaction, why I have not in every thing done as you defyred, the want of confidence in you being so far from being the cause thereof, that I am every day more and more confirmed in the trust, that I have of you. For believe me, it is not in the power of any to make you suffer in my opinion by ill offices. But of this, and diverse other things, I have given Sir John Winter so full instructions, that I will say no more, but that I am,

Your most assured friend,

Oxford, 28th Feb. 1645.

CHARLES R.

GLAMORGAN,

I HAVE no tyme, nor do you expect, that I shall make unnecessary repetitions to you. Wherefore (referring to Digby for business) this is only to give you assurance of my constant friendship to you; which considering the general defection of common honesty, is in a sort requisite. Howbeit, I know you cannot be confident of my making good all instructions and promises to you and the nuncio.

Your most assured friend,

Oxford, 5th April, 1646.

CHARLES R.

HERBERT,

AS I doubt not but you have too much courage to be dismayed or discouraged at the usage ye have had; so I assure you, that my estimation of you is nothing diminished by it, but rather begets in me a desire of revenge and reparation to us both, (for in this I should myselfe equally interested with you). Wherefor, not doubting of your accustomed care and industry in my service, I assure you of the continuance of my favor and protection to you; and that in deeds more than words, I shall shew myself to be

Your most assured constant friend,

Oxford, 6th April, 1646.

CHARLES R.

No.

No. XXXVIII.

The State of his Majesty's Affairs, and the Condition of his faithful Subjects in the Kingdom of Ireland, 12th April, 1651. (Page 165.)

THAT the power and success of the rebels hath been such, as the whole nation is now in their possession, or subject to their contribution, except the province of Conaught, and the county of Clare, and his majesty's city of Limerick and town of Galway; that the said province of Conaught and county of Clare, are for the most part waste, by the continuance of that heavy burthen the war has brought on them, and by incursions of the rebels. That the rebels having an over-mastering power in all parts of the kingdom, other than the said province of Conaught and county of Clare, many of his majesty's forces, that hitherto had their relief out of their quarters, have been forced for their safety to retire to the said province of Conaught and county of Clare, which together with the forces maintained there formerly, are become so burthenfome to the people, as that they are thereby utterly impoverished. The nation being in this extremity, no considerable forces can be brought together to maintain even a defensive war against the rebels, much less an offensive; and had not the river of Shannon been an interruption to the rebels incursions, since October or November last, till this present, it is very evident, that the rebels had e'er this, over-run the province of Conaught and county of Clare, and consequently would bring under their power the city of Limerick and town of Galway. The said city of Limerick and town of Galway, observing all other, his majesty's cities and towns of strength within the kingdom, to be lost; and how, that there was no considerable army of his majesty's forces within the kingdom to relieve them, in case they were besieged, or any probability, for want of means, to bring any such army into a body; have of a long time, out of the feeling sense they had of their own destruction, been inclined to treat for conditions with the rebels, before the danger might come nearer them, and before the said province of Conaught and county of Clare were over-mastered by the rebels power, as the rest of the kingdom was. This was not only the study and apprehension of the said towns, but was also the resolution of most others that could not humanly see how they might be otherwise preserved: and it was by very great endeavours and industry, that the general assembly held at Loghrea,

Loghrea, in January last, was with-held from treating for conditions with the rebels. Many of the officers of his Majesty's army, finding the sad condition the nation was reduced into, not able to keep any considerable forces in a body to oppose the rebels, did, from several parts of the kingdom, represent their sense, that it was absolutely necessary for the people's preservation, to treat with the rebels for conditions, seeing there was no power to resist them. The general desperation in all persons and places hitherto under his majesty's obedience, did so change the resolutions of the people, as they parted with nothing willingly to maintain the forces, each one looking after the ways of his particular subsistence; and the city of Limerick and town of Galway, either for fear to increase the rebels the more, or to advantage themselves in such conditions, as should be had from the rebels, did not afford so ready and clear obedience to his majesty's authority as accustomed. His Highness the Duke of Lorrain's ambassador arriving here, and it being given out, that he came with offers of powerful assistance for the preservation of the Catholic religion, his majesty and subjects interest: the people took much comfort and encouragement thereby, hoping that the rebels power might be opposed; and soon after did the said towns and all other places, yet in his majesty's obedience, seem more cheerfully, than before, to assist his majesty's authority, in opposing the rebels, and to disavow and disclaim any treaty with the rebels, though formerly inclined, if not resolved. His excellency the lord deputy, understanding that some aids might be had for the present relief of his majesty's forces, did give audience to the said ambassador; and though the letters he brought were not to the lord deputy, nor any having his majesty's authority; yet he having publicly avowed, that his master knew not his majesty's authority was intrusted with any in this kingdom; and that if he had known so much, he would have made his application by letter to him, with whom that authority was intrusted; his lordship therefore authorized some of the prelates and commissioners of trust to treat with him; and was content, that the prelates, nobility, and other persons of quality, then in or near Galway, and agents of the city of Limerick and town of Galway, might meet to consult of that affair; and represent their sense thereupon to his excellency: who being accordingly called together, and consisting of very many of the prelates, nobility, and gentry, out of several parts of the kingdom; at which meeting also the agents of the said city of Limerick and town of Galway were present, and several officers of the army; who after a long

long and serious debate of the matter proposed by his highness's ambassador; they weighing the unavoidable danger the nation was in of falling into the rebels power; and how the people, if not suddenly assisted, were much impoverished, as they would be utterly destroyed, or enforced to submit to the rebels; and considering that his majesty was not in condition to relieve them, nor could application with safety be made unto him; did therefore advise, and were of opinion, seeing his highness the Duke of Lorrain made it his care to preserve the Catholick religion, and the people's interest, and to recover from the rebels what they possessed, that it was absolutely necessary to accept of his said highness's protection: but the said ambassador's propositions being such as his excellency the lord deputy could not assent unto, the said ambassador was induced (taking caution for the present supplies) to agree, that the treaty and conclusion for further supplies, and the proposals made in the Duke of Lorrain's behalf, might be put over to be determined by his highness, or such as he would depute, and such as now should be authorized by the lord deputy in his majesty's behalf. The present supplies had, do not much amend the condition of his majesty's affairs in this kingdom: and if ways may not be found to hasten very suddenly further and more considerable supplies, what is left of the whole, yet in his majesty's obedience, will soon be in the possession and power of the rebels, the season of the year being now such as the rebels may in many places on the Shannon make their incursions, and draw their forces into the said province of Conaught and county of Clare; which they may the better effect, having not any forces considerable of his majesty's army, that might disturb them in the provinces of Munster, Leinster, or Ulster; other than that the Lord Muskerry, with some party in the county of Kerry, and borders of the county of Cork, giveth considerable disturbance to the rebels designs in Leinster; some small parties only that cannot regularly be maintained in a body, do, when opportunity is offered, perform service against weak or scattered parties of the rebels, but can attempt nothing against any considerable body of the rebels. And in Ulster, though his majesty's forces are numerous in foot, yet wanting horse, and many unprovided for arms and having no regular way of maintenance, they can attempt little to distract the rebels forces in that province; that party of his majesty's forces in Ulster having lately, for want of horse, received a considerable loss upon a defeat near Fena; and by that means also the said garrison of Fena (being a considerable place) was lost;

lost; so that upon the whole matter, it is very evident how great the evils are, that will happen, if immediately great aids be not hastened to this nation, for this kingdom will, by the fore-flowing thereof, be entirely in the enemies power and possession, and the people universally inforced to submit unto them, by which the rebels will have the opportunity to send from hence a great and considerable power, that may distract his majesty's expected success in England and Scotland, and be an occasion of the loss also of his majesty's entire interest in both his said other kingdoms.

No. XXXIX.

A Copy in English of HIS MAJESTY'S Letter to His Highness the DUKE OF LORRAIN, dated the 6th of February; received the 8th of August, 1652.

(Page 165.)

COUSIN,

WE have lately seen a letter from the deputy of Ireland, directed to our lieutenant of that our kingdom, now attending our person, together with certain overtures made and proposed by some of our subjects, now at Brussels, to your highness, in order to the supply and relief of our said kingdom, and oppressed subjects there: with which propositions or articles we were not in the least degree made acquainted; nor was our dearest mother the queen, our dear brother the Duke of York, or our lieutenant of Ireland, informed thereof, till within these very few days, when the said articles were transmitted hither by our deputy of that our kingdom; albeit that they seem to be consented unto by these gentlemen at Brussels, about the beginning of July last. We have been likewise informed by the testimony of the Lord Taaffe, and by the message, which Father Dillon lately brought to us from your highness, with what affection and tenderness towards us your highness (according to your accustomed kindness and friendship to us) hath proceeded in this business; and that though the said articles were freely submitted, consented to, and signed so long since by those gentlemen on their part, and that your highness frankly undertook to perform any thing, that they had proposed to, and expected from you, yet that your highness would not accept any of that power, or exercise any of that jurisdiction within that our

kingdom, which they had offered to you, nor so much as receive the said articles signed by them, or suffer them to remain in any other hands but their own, till your highness should receive our full approbation of all that had been offered: which was so generous and princely a way of proceeding, that we must always acknowledge it, amongst those high obligations, which we have so frequently received from your highness.

We perceive that the Marquis of Clanricarde, our deputy there, (who as he is very solicitous for our service and concernment, so he is known to have always been as zealous for the Catholic religion, as any of our subjects of that nation, and must be presumed to know the affections and interests of that people, as well as any, whatsoever others pretend) hath by his late address to your highness (whereof we have seen a copy) presented to your highness his opinion of the matter of the said articles, and of the persons who contrived them, and of the impossibility of receiving the intended fruit of your highness's favour by those means; and therefore we shall say no more of either, having still the more reason to remember the honour and justice of your highness, in refusing to receive, without our consent, what others so frankly without our leave offered to give. Nor do we so severely interpret even those offers, but do believe that they proceeded rather from the smart, anguish, and despair those gentlemen felt, from the languishing and gasping condition of their miserable country, than from their want of affection and duty to us and our interest. It is very true, the miseries and calamities, which have almost overwhelmed the kingdom, can hardly be expressed, which in a short time, if some seasonable and very timely supply and assistance be not applied, to stop the success of our English rebels there, must probably be concluded in the utter extirpation of that nation, and the total rooting out the Catholic religion within that kingdom; to the free exercise whereof, many indulgencies, and large immunities and concessions, have been granted by us, even to the satisfaction of those, who are most zealous promoters of it.

As all these sufferings and afflictions of those our subjects, whatsoever they are, or may grow to be, cannot in the least degree be imputed to any fault or failing of our blessed father, or ourself; so we have left no means within our power unattempted to remedy the same, and are still most ready to use our utmost endeavours to procure any relief for them. But we must confess, that in this sad conjuncture of our affairs, which is enough known to the world, that work seems almost desperate, without some conjunction in Catholic
lic

lie princes, who for the preservation of that religion, and out of compassion to so distressed a nation, may administer some such succour, as may prevent the immediate ruin of that people, and keep the rebels from an entire possession of that kingdom, until farther assistance may be applied to it. And how to procure any such conjunction, we know no way so good, or hopeful, as by the mediation and example of your highness; who, besides several other testimonies of your great affection to us, have lately given a full evidence of your particular princely care of that people, by sending them such an ample supply and assistance, as hath hitherto (next under God) alone preserved them from being swallowed up by their and our enemies. And we are thereby especially encouraged, not only to desire your council, by what means or ways we ourselves may best endeavour the relief of our poor Catholic subjects of that kingdom; but that your highness, by sending those succours you intended, will continue your goodness and favour towards them to that degree, that they may be sustained in a condition to contend with their enemies, until by other Catholic assistance (for the procuring whereof nothing shall be left undone on our part) they may be enabled to make a farther impression upon the rebels, and to regain what they have lost. And for the better carrying on so good a work, and to induce your highness to so charitable and chargeable an enterprize, as we have already confirmed the agreement made between our deputy of that our kingdom, and the abbot of St. Catharine, your highness's minister employed thither: so we are, and will be most ready to consent to whatsoever shall be proposed to be done on our part, which is consistent with our kingly interest, and the obligations we stand bound in to all our good subjects. And your highness being especially inclined to this glorious undertaking, by your zeal to the Catholic religion, we do give our royal promise to your highness, to consent freely to whatsoever shall be necessary to the security of the same within that kingdom; and doubt not but we shall give all good Catholics all necessary satisfaction in that particular. And to that purpose, we shall appoint persons of unquestionable affection to that religion, and of interest and credit with that nation, to attend your highness on our behalf, and in our name to consent to what may promote this good design, as soon as we shall receive your highness's answer upon this our desire: not doubting but that if you should enter into a treaty with us (which we exceedingly desire, we shall give such content and satisfaction to your highness in whatsoever shall be proposed, that will give a full encouragement to

you

you to enter upon so glorious an undertaking; I shall conclude, assuring you that I am,

Your most affectionate cousin,

Paris, February the 6th, 1652.

CHARLES R.

No. XXXIX.*

A List of the Nobility of Ireland in 1688. (Page 170.)

PROTESTANT.	CATHOLIC.	PROTESTANT.	CATHOLIC.
<i>Duke of</i>	<i>Marquis of</i>	<i>Viscounts.</i>	
Ormond	Antrim	Grandison	Rathcoote
<i>Earls.</i>	<i>Earls.</i>	Wilmot	Bareford
Kildare	Clanrickarde	Loftus	Bronkart
Thomond	Castlehaven	Swords	Galmoy
Cork	West Meath	Kilmurry	Kingfland
Desmond	Fingall	Castleton	Gormanstown
Barrymore	Castlemayne	Chamworth	Mayo
Meath	Carlingford	Sligo	Killmastock
Offory	Tyronne	Waterford	
Rosscommon	Tyrconnel	Strangford	
Londonderry		Tuam	
Donnegal		Cashel	
Arran		Carelow	
Conaway		Cullen	
Carberry		Shannon	
Ardglafs		Dromooore	
Ranelagh		Mazarine	
Cavan		Kells	
Inchiquin		Dungannon	
Clancarty		Fitzharding	
Orrery		Clare	
Mountrath		Charlemont	
Drogheda		Powers	
			PROTESTANT

PROTESTANT.	CATHOLIC.	PROTESTANT.	CATHOLIC.
<i>Earls.</i>	<i>Earls.</i>	<i>Viscounts.</i>	
Waterford		Blessing Town	
Mount Alexander		Rofs	
Down		Lifsburne	
Longford			
PROTESTANT.	PROTESTANT.	PROTESTANT.	CATHOLIC.
<i>Barons.</i>	<i>Barons.</i>	<i>Barons.</i>	<i>Barons.</i>
Kinfale	Digbey	Killard	Athenry
Kerry	Lifford	Kingston	Cahir
Hoath	Herbert	Colooney	Baltimore
Mountjoy	Loughlin	Santry	Strabane
Foliot	Coleraine	Clawnally	Dunfany
Maynard	Leitrim	Altram	
Gorges	Donmore	Bishops 24	

No. XL.

The MARQUIS OF ORMOND to the KING. (Page 174.)

MAY IT PLEASE YOUR MAJESTY,

SOME of the conditions I was constrained to admit of, to procure a peace with this people, and the satisfaction I was forced to give the English party under the command of the Lord Inchiquin, to purchase their submission to it and conjunction with the Irish in your service, though they were the only means, by which it was possible to bring your affairs to the hopeful state, they were in before the defeat of Dublin; yet that and other misfortunes happening, those compliances and the restraints they left upon your majesty's authority, as they were in a great measure the most apparent causes of those misfortunes, so are those conditions to the Irish, the greatest grounds of despair that now appear to me of holding on the war here.

The conclusion of a second peace with Owen O'Neile and his party, which became absolutely necessary, on the defection of most of the English towns
and

and forces in Munster, and by the arrival and success of Cromwell, though it have considerably assisted the preservation of the towns yet remaining, and seemed to be a probable means to unite this people, and remove the cause and support of and division amongst them; yet the clergy, who perhaps think their ambition and avarice are not sufficiently provided for and secured in the peace, and taking the Ulster party (who have little justly to pretend to, and less in possession) to be those, upon whom they are most likely to prevail to cast behind them all consideration of loyalty to your majesty, or love to their country, when either shall come in competition with their interest, do make use of their power, which is great every where, but chiefly in the towns, to keep the Ulster party strong, and out of it to garrison all places of consideration, and in this they have the assistance of some of the commissioners, by whose consent, and not otherwise, forces are to be raised and maintained and towns garrisoned. If they can gain this point, either the towns must not be garrisoned at all, and then they are lost as soon as looked upon; or if they be, it will be with a sort of men, from whose success your majesty can expect no advantage, nor ever to be master of those places, whatever the event be, but by subduing them; and but that perhaps it will not suit with the rebels' interest to come to their conditions. I doubt not but they might purchase any place that shall be thus secured, though it be made clear enough to the clergy and to the Ulster party, that in the insatiable desire of usurping all power into their hands, as it is most unjust, so it is most ruinous even to their own ends; since it must necessarily produce, first, a distrust in, and then a division of a great party from them; yet I do doubt, whether that will prevail to bring them to such moderation, as to make it much more desirable to have them than the rebels in possession of those towns.

Reasons why it is better for the King's Service, and the Preservation of the Nation, that I immediately attend his Majesty, than stay here.

1. The distrust wrought in the minds of the people by insinuations of some factious persons, rather countenanced than suppressed by most of the bishops, and fortified by the giving up of Cahir, Gowling, and other places, where men, of near dependance upon and relation to me, were trusted, hath taken such deep root in them, that there is small hope, and now very little time

time or advantage to remove it; though the bishops here present should endeavour it never so really. By which means the king's authority will fall daily into more contempt, and will in a short time lose the remaining shew of respect, rather than obedience, that is yet paid unto it; and the people, believing themselves betrayed, will think it vain to be persuaded into action, which may render them incapable of conditions from the enemy; or if they be with much difficulty, perhaps with church-censures, gotten forth, it will be with despair not hope of success, whilst they suspect their leader of having made conditions for himself upon their ruin; or if not, that being an heretic he cannot prosper. These distrusts, and the union of the nation (if any thing can do it) will the one be removed, and the other established by retiring; and it will be more for the king's service, that some opposition be made against the enemy, though without dependence upon his authority (which I doubt is at least held unfortunate) than that the people should be totally subjected to the rebels without resistance.

2. If the want of any diversion in England, and of any supply hither, shall make it impossible in human appearance to resist the undistracted force and design of the enemy, and that the towns and people observing this shall resolve or be forced to submit to conditions such as they can get, then shall I, and as many men of honour and loyalty as will adhere to me, be necessitated to condition also, or (which is much better as to me) become a deserted small party, subject to the scorn of enemies of all kinds, and to the treachery of such, as may give us up for their own indemnity, or some mean reward. Whereas if I be gone, it may be excusable, nay fit for the best-affected, in case of extremity, to condition for themselves; so their conditioning expresses not an absolute perpetual subjection to the rebels, but such temporary compliance as may preserve them in a state with honour to resume arms for his majesty, when they find a probable opportunity.

3. I find, that none of the Protestants, but such as are not in case to get off, or live elsewhere, will stay with us; and these will not be a number, that will be accounted a party. Now one of the greatest advantages my person was or could be of to this nation was, what my interest with the Protestants gave me, which, if I stay, when they are gone will be wholly lost; so as upon any change of the king's affairs for the better, it will not be in my power to save the best-affected, unless I keep myself with some esteem with them.

4. My presence at the transactions now in Holland may be of use to this kingdom,

kingdom, my staying here can be of little service. I am ready to leave his majesty's authority with any, that are fit to manage it.

5. I conceive the garrisoning of Limerick and Galway (without which it seems not possible or prudent for any man to manage the war here) is principally refused in distrust of me, and that when I am gone, they will be persuaded to receive garrisons, which, of what party of Irish soever it be, will tend more to the preservation of the nation, than to have none; though as to me in the present exercise of the king's authority, such men are like to be fixed upon, as I will not trust my self with, and others I believe I shall not persuade them to receive.

6. Those, that would persuade me, that the people's belief in me is in some measure suitable to my desires to preserve them, do attribute whatever appears to the contrary to the power they suppose my Lord Inchiquin has with me; and the distaste is said to be so great and general against him, that whilst he is in power, or indeed upon the place, they will pretend dissatisfaction and despair of success. But I am not satisfied, that if he were removed, their distrust of me would be so too; and I think not fit (upon such uncertainties, as are the measures we can take of this people's resolutions) to shew an indifference towards him, or a desire to separate from his interest, to whom I have some obligation, in reference to his seasonable active endeavours for the king's service, and his desire to co-operate with me in it out of a confidence in my friendship and honesty; so that for both of us to remove, I hope to be best for all interests. If he should go alone, it is possible some sharp expostulations, that have past betwixt him and those intrusted by the nation, may sharpen his relation of their carriage and intentions; and if he stay, he will neither trust nor be trusted by them, and may think of some course for his safety, that may not suit with theirs.

7. My fortune being wholly lost, and with it my credit for money, by which I supported myself ever since I came into the kingdom, I shall presently fall into such wants as will render the king's authority contemptible; if it were reasonable to hope that the little remainder could supply me.

No. XLI.

Declaration of the Roman Catholics. (Page 175.)

1st. IT is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope or general councils have power to depose kings, or to absolve their subjects from their allegiance.

On the contrary, it is by no means lawful for subjects, to oppose or use violence against their king, or his established government, or to conspire with his enemies directly or indirectly against him or the state, under which they live, and by whom they are protected; and any subject who should so transgress would become guilty of mortal and most heinous sin before God, any such act of dispensation or absolution notwithstanding.

2d. It is not and never was a doctrine or tenet of the Roman Catholic Church, that those of her communion may break faith with, murder, plunder, or defraud those of a different communion of religion.

On the contrary, such is abominable and damnable doctrine, equally repugnant to the law of nature, and to the law of God, which obliges us to observe fidelity, honesty, and charity, as strictly towards those of a different religion as towards those of our own.

3d. It is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope has any direct or indirect authority or power over the temporal power and jurisdiction of princes.

On the contrary, if the pope should pretend to dispense with the allegiance of his majesty's subjects, or invade his dominions, we would deem such dispensation null and void, and all Catholic subjects if commanded or required, are bound in conscience to defend their king and country, at the hazard of their lives and fortunes.

4th. It is not and never was a doctrine or tenet of the Roman Catholic Church, that the pope or any power on earth can licence man to take false oaths, to lie, forswear, or perjure themselves on any account whatsoever, or to massacre their neighbours, cheat, or injure them or their native country, on pretence of promoting the Catholic religion, or for any other purpose whatsoever.

On the contrary, such doctrine and tenets are condemned by our church as an unchristian, abominable, sinful and wicked; and all pardons or dis-

penfations alledged or pretended to be granted for any fuch ends or purpofes would be null and void, adding facrilege and blasphemy to the crimes above mentioned.

No. XLII.

By the Lord Deputy and Council, A Proclamation. (Page 183.)

TYRCONNEL.

FORASMUCH as feveral perfons in the province of Ulfter, and town of Sligo, in this his majesty's kingdom, have entered into feveral affociations, containing no lefs offence than high treason, and thereupon formed themfelves into feveral parties, dividing and marfhalling themfelves into feveral regiments, troops, and companies, marching well armed up and down the country, to the great terror of the king's liege people, in manifold breach of the law and of the peace of this realm; and having refolved within our felves to prevent the effufion of blood as long as it was poffible, by ufing all peaceable means to reduce the faid malefactors to their obedience, have of late iffued out a proclamation, fetting forth the faid diforders, requiring all the faid parties to difperfe and repair to their feveral habitations and callings, affuring every of them of his majesty's pardon and protection. And whereas, We fee the faid offenders, inftead of complying with our faid proclamation, ftill do perfift in their wickednefs, by continuing in actual rebellion, breaking of prifons, and difcharging of prifoners fecured by due courfe of law, for robberies, felonies, and other hainous crimes; by feizing upon his majesty's arms and ammunition, imprifoning feveral of his majesty's army, difarming and difmounting them: killing and murdering feveral of his majesty's fubjects, pillaging and plundering the country, and daily committing feveral other acts of hoftility; and finding no other way to fupprefs the faid rebellion, We the lord deputy have caufed a party of his majesty's army, under the command of Lieutenant General Rich. Hamilton, to march into the province of Ulfter, to reduce the rebels there by force of arms, the confequence whereof cannot but be very fatal to that country, and the inhabitants thereof, and will inevitably occafion the total ruine and deftruction of that

that part of his majesty's kingdom. The consideration whereof hath given us great disquiet and trouble of mind; that a country well planted and inhabited, should now, by the insolency and traitorous wickedness of its own inhabitants, be brought to ruine and desolation, which we are still willing to prevent, if any spark of grace be yet remaining in the hearts of those conspirators; hereby declaring, notwithstanding the many affronts by them put upon his majesty's government, notwithstanding the several acts of hostility by them committed, that if they will now submit and become dutiful subjects, his majesty's mercy shall be extended to them, excepting the persons hereafter excepted; and in order thereunto, We the lord deputy and council do strictly charge and command all such persons in arms in Ulster or the town of Sligo, forthwith to lay down their arms, and that the principal person among them now in the north, do forthwith repair to Lieutenant General Richard Hamilton, and deliver up to him their arms and serviceable horses, and to give him hostages as an assurance of their future loyalty and obedience to his majesty, and that all their adherents do deliver up their arms and serviceable horses to such person or persons, as he the said Lieutenant General Hamilton shall appoint to receive them. And We do also farther charge and command all the principal persons of other commotions and insurrections in Sligo, to repair forthwith either to Us the lord deputy, or to Colonel Mac Donald, at the Boyle, and deliver up their arms and serviceable horses, and to give hostages and security for their future peaceable deportment; and their adherents to lay down their arms to be delivered up together with their serviceable horses to the said Colonel Mac Donald. We the lord deputy hereby giving safe conduct to such of them as will submit according to this our proclamation. And we do hereby farther declare, that such of the said persons as shall give obedience to these our commands, except the persons hereafter excepted, shall have his majesty's protection and pardon for all past offences relating to the said commotions and insurrections; but in case they shall be so unhappy, as to persist in their wicked designs and treasonable practices, We the lord deputy do hereby command all his majesty's forces to fall upon them wherever they meet them, and to treat them as rebels and traitors to his majesty; yet to the end the innocent may not suffer for the crimes of the nocent, and that the committal of inhumane acts may be prevented, We do hereby strictly charge and command his majesty's army now upon their march to the North, and all other his majesty's forces, that

they, or either of them, do not presume to use any violence to women, children, aged or decrepid men, labourers, plow-men, tillers of the ground, or to any other, who in these commotions demean themselves inoffensively, without joining with the rebels, or aiding or assisting them in their traitorous actions and behaviour. But in regard to Hugh, Earl of Mount Alexander, John Lord Viscount Mazareen, Robert Lord Baron of Kingstone, Clotworthy Scheffington, Esq. son to the Lord Viscount Mazareen, Sir Robert Calvil, Sir Arthur Rawdon, Sir John Magil, John Hawkins, Robert Sanderfon, and Francis Hamilton, son to Sir Charles Hamilton, who have been the principal actors in the said rebellion, and the persons who advised and fomented the same, and inveigled others to be involved therein; we think fit to except them out of this proclamation, as persons not deserving his majesty's favor.

Given at the council chamber of Dublin, March 7th, 1688.

A. Fytton.	C.	Will. Talbot
Granard		Tho. Newcomen
Limerick		Rich. Hamilton
Bellew		Fran. Plowden

No. XLIII.

MR. OSBORN'S *Letter to My Lord MASSEREEEN.* (Page 183.)

Loughbrickland, March 9th, 1688.

MY LORD,

ON the 6th instant I was introduced by my Lord Granard into my lord deputy's presence in the castle of Dublin. I have his pass to come and go through and back from Ulster; and though I have not his excellency's direct commission, yet I will assure you I am at least permitted by the lord deputy to acquaint the chief and others of those of the Ulster association, with his discourse to me, which was to the effect following: to wit,

First, That his excellency doth not delight in the blood and devastation of the said province; but, however, highly resents their taking and continuing in arms; the affronts done by them to his majesty's government thereby, and by some indignities done to the late proclamation of clemency, issued and dated—

Secondly,

Secondly. Notwithstanding whereof, is willing to receive the same province into protection, provided they immediately deliver up his army, for his majesty's use, their arms and serviceable horse; and provided they deliver up to his excellency these three persons, viz. ——— if they remain in the kingdom, and may be had.

Thirdly. And for farther manifestation of his design to prevent blood, is willing to grant safe conduct even to the said three persons, or any other of their party, to and from his excellency, and to and from Lieutenant General Hamilton, commander of part of his army hereafter mentioned, if they intend any peaceable and reasonable treaty: but withall, not upon the said account, or any other, to stop the march of the said part of his army, no, not for one hour; and if it shall appear in such treaty, that they took up arms merely for self-preservation, then he will pardon even the said three persons also; but is hopeless, that any such thing can be made appear, seeing that many of them have already accepted, and received commissions from the Prince of Orange, and display his colours in the field, as his excellency is credibly informed.

Fourthly. If these terms be not immediately agreed to, he will, with part of his army, fight them, which part he intends shall be at Newry on Monday, the 11th of this instant, which will from thence march to Belfast, and from thence to Colrain and Londonderry, as his excellency intends; and that the country Irish, not of the army, men, women, and boys, now all armed with half-pikes and bayonets, in the counties of Cavan, Monaghan, Tyrone, Londonderry, &c. will, upon the approach of the said part of the army, and of the British in the said counties; which force and violence of the rabble, his excellency saith he cannot restrain; and fears that it may be greater than in 1641. These are the heads of what I can offer to you from his excellency's own mouth; but I intend to be at Hillsborough to night, and there to stay for this night, where, if you think fit, I shall freely discourse with you all the particulars; whereof I hope, you will give immediate notice to all chiefly concerned in your country and neighbourhood, for gaining of time. I have sent this express, that your lordship may give advertisements by express, to all such as your lordship thinks convenient. I shall add no farther till I have the honour to see your lordship.

Your lordship's obedient servant,

ALEX. OSBORNE.

No.

No. XLIV.

The Names of the Lords and Commons of the Parliament of Ireland, sitting at Dublin the 7th of May, 1689, and continued sitting till the 18th of July, and then prorogued until the 12th of November. (Page 184.)

THE LORDS.

Sir Alexander Fitter, Lord Baron of Gofworth, Lord Chancellor	Bishop of Offory
Earl of Westmeath	Bishop of Cork
Earl of Barrymore	Bishop of Limericke
Earl of Clancarty	Lord Baron of Athenree
Earl of Tyrone	Baron of Kinfale
Earl of Longford	Baron of Enniskillen
Earl of Granard	Baron of Strabane
Earl of Limerick	Baron of Castleconnell
Lord Viscount Glanmalira	Baron of Brittas
Viscount Killmallock	Baron of Dunbayne
Viscount Iveagh	Baron of Cahirr
Viscount Mountgarret	Baron of Howth
Viscount Dillon	Baron of Dunfany
Viscount Roffe	Baron of Upper Offory
Viscount Gallway	Lord Baron of Slane
Sir Valentine Brown, Viscount Kenmare, lately made	Chief Justice Nugent, Baron of Riverstown, lately made
Justin M'Carthy, Viscount Mont Cashel, lately made	John Bourk, Baron of Bophin, lately made
Lord Bishop of Meath	Baron of Trinlestown.

THE COMMONS.

County of Catherlough.
 Dudly Bagnal, Esq.
 Henry Luttrell, Esq.

Borough of Callan.
 Walter Butler, Esq.
 Tady Meagher, Esq.

Borough

Borough of Catherlogh.

Marcus Bagot, Esq.

John Warren, Esq.

Borough of Old Lughlin.

Darby Long, Esq.

Daniel Doran

County of Galloway.

Sir Ulick Bourk, Bart.

Sir Walter Blake, Bart.

Borough of Athenry.

James Talbot, of Mount Talbot, Esq.

Charles Daly, of Dunfandal, Esq.

Borough of Tuam.

James Lally, of Tullenedally

William Bourk, of Carrewfraila

County of Kilkenny.

James Grace, of Courstowne, Esq.

Robert Walsh, of Clonencassy, Esq.

Borough of Thomastown.

Robert Grace the elder, Esq.

Robert Grace the younger, Esq.

Borough of Gowran.

Richard Butler, Esq.

Walter Kelly, Doctor of Physic

Borough of Inistioge.

Edward Fitzgerald, Esq.

James Fitzgerald, Esq.

Borough of Knocktopher.

Harvey Morres, Esq.

Henry Meagh, Esq.

City of Kilkenny.

John Rooth, Mayor of that City

James Bryan, Alderman

County of Cork.

Justin M'Carthy, Esq.

Sir Richard Nagle, Knt.

Borough of Youghall.

Thomas Uniack, Alderman

Edward Gough, Alderman

Borough of Kinsale.

Andrew Murrogh, Esq.

Miles de Courfey, Esq.

Borough of Baltimore.

Daniel O'Donovan, Esq.

Jeremy Donavan, Esq.

Borough of Bandenbridge.

Charles M'Carthy, of Ballen, Esq.

Daniel M'Carthy Reagh, Esq.

*Borough of Cloghnokelty.*Lieutenant Colloen Owen M'Carthy,
Esq.

Daniel M'Fin M'Carthy, Esq.

Borough of Middletown.

Dermond Long, Esq.

John Long, Esq.

Borough of Mayallow.

John Barret, of Castlemore, Esq.

David Nagle, of Carragowne, Esq.

Manor and Borough of Roth Cormuck.

James Barry, Esq.

Edward Powell, Esq.

Manor of Donerail.

Daniel O'Donovane, Esq.

John Baggot, jun. of Bagotstown, Esq.

Borough of Charlevile.

John Bagot, sen. of Bagotstown, Esq.

John Power, of Killballane

County of Tipperary.

Nicholas Purcel, of Longmore, Esq.

James Butler, of Granigebegg

City of Cashell.

Denis Kearny, Alderman

James

James Hacket, Alderman

Borough of Clonmell.

Nicholas White, Alderman

John Bray, Alderman

Borough of Fethard.

Sir John Everard, Bart.

James Tabin, of Fethard, Esq.

City of Waterford.

John Porter, Esq.

Nicholas Fitzgerald, Esq.

County of Kerry.

Nichols Brown, Esq.

Sir Thomas Crossby, Knt.

Borough of Trayley.

Maurice Hufley, of Kerry, Esq.

John Brown, of Ardagh, Esq.

Borough of Dinglefadacouche.

Edward Rice Fitz James, of Ballinelig, in the County of Limerick

John Hufley, of Culmullin, Esq.

Borough of Ardfert.

Callonel Roger M'Ellyot

Cornelius M'Gillicuddy

City of Limerick.

Nicholas Arthur, Alderman

Thomas Harrold, Alderman

Borough of Roscommon.

John Dillon, Esq.

John Kelly, Esq.

Borough of Boyle.

Captain John King

Terrence M'Dermot, Alderman

County of Meath.

Sir William Talbott, Bart.

Sir Patrick Barnwall, Bart.

Borough of Ratooth.

John Hufley, Esq.

James Fitzgerald, Esq.

Borough of Trym.

Captain Nicholas Cusacke

Walter Nangle, Esq.

Borough of Navan.

Christopher Cusack, of Corballis, Esq.

Christopher Cusack, of Ratholeran, Esq.

Borough of Kells.

Patrick Everard, Esq.

John Delamare, Esq.

Borough of Athboy.

John Trynder, Esq.

Robert Longfield, Esq.

City of Cork.

Sir James Cotter, Knt.

John Gallaway, Esq.

County of Limerick.

Sir John Fitzgerald, Bart.

Gerrald Fitzgerald, Knt. of the Glyn

Borough of Kilmallock.

Sir William Harley, Bart.

John Lacy, Esq.

Borough of Askeaton.

John Bourk, of Cahirmayhill, Esq.

Edward Rice, Esq.

County of Westmeath.

The Hon. Colonel William Nugent

The Hon. Col. Henry Dillon.

Borough and Manor of Mullengarr.

Gerrald Dillon, Esq. Prime Serjeant

Edmond Nugent, of Carlanstowne

Borough of Athlone.

Edmond Malone, of Ballynabourne, Esq.

Edmond

- | | |
|---------------------------------------|--------------------------------------|
| Edmond Malone, of Jurisperit, Esq. | James French, Esq. |
| <i>Borough of Kebeggan.</i> | <i>County of Tyrone.</i> |
| Brian Geoghegan, of Donore, Esq. | Colonel Gourdon O'Neile |
| Charles Geoghegan, of Lyonane, Esq. | Lewis Doe, of Dungannon, Esq. |
| <i>Queen's County.</i> | <i>Borough of Dungannon.</i> |
| Sir Patrick Trant, Knt. | Arthur O'Neile, Esq. |
| Edmond Morres, Esq. | Peter Donnelly, of Dungannon |
| <i>Borough of Marrybrough.</i> | <i>Borough of Strabane.</i> |
| Pierce Bryan, Esq. | Christopher Nugent, Esq. |
| Thady Fitzpatrick, Esq. | Daniel Donelly, Gent. |
| <i>Borough of Ballynekill.</i> | <i>County of Clare.</i> |
| Sir Gregory Byrne, Bart. | Daniel O'Bryan, Esq. |
| Oliver Grace, Esq. | John Mac Namarra, of Crattlagh, Esq. |
| <i>Borough of Galloway.</i> | <i>Borough of Ennis.</i> |
| Oliver Martin, Esq. | Florence Mac Namarra, of Dronodd, |
| John Kirwan, Esq. | Esq. |
| <i>County of Cavan.</i> | Theobald Butler, of Straghnagohoone, |
| Phillip Reyley, of Aghnecressey, Esq. | Esq. |
| John Reyley, of Garriroback, Esq. | <i>County of Leytrim.</i> |
| <i>Borough of Cavan.</i> | Edmond Reynells, Esq. |
| Phillip Oge O'Reyly, Esq. | Triell Farrell, Esq. |
| Hugh Reyley, of Lara, Esq. | <i>Borough of Jamestown.</i> |
| <i>Borough of Bellturbet.</i> | Alexander Macdonnel, Esq. |
| Sir Edward Tyrrel, Bart. | William Shanley, Esq. |
| Phillip Tuite, of Newcastle, Esq. | <i>County of Ardmagh.</i> |
| <i>County of Waterford.</i> | Francis Strafford, Esq. |
| John Power, Esq. | Constantine O'Neale, Esq. |
| Matthew Hore, Esq. | <i>County of Antrim.</i> |
| <i>Borough of Dungarvan.</i> | Cormucke O'Neale |
| John Hore, Esq. | Randall Mac Donnell |
| Martin Hore, Esq. | <i>Borough of Belfast.</i> |
| <i>County of Sligoe.</i> | Marcus Talbott |
| Henry Crofton, Esq. | Daniel O'Neale |
| Oliver O'Gara, Esq. | <i>County of Wexford.</i> |
| <i>Borough of Sligoe.</i> | Walker Butler, of Monfin, Esq. |
| Terrence Mac Donogh, Esq. | Patrick Colclough, of Macbury |
| | <i>Borough</i> |

Borough of Wexford.

William Talbot, Esq.
Francis Rooth, merchant

Borough of New Ross.

Luke Dormer, Esq.
Richard Butler, Esq.

Borough of Newbury.

Abraham Strange, of Toberduffe, Esq.
Richard Doyle, of Kilorky

Borough of Eniscorthy.

James Devereux, of Cargmenan, Esq.
Arthur Waddinton Portruff

Borough of Taghmon.

George Hore, of Polehore, Esq.
Walter Hore, of Harperstowne

Borough of Bannow.

Francis Plowden, Esq.*
Dr. Alexius Stafford

Borough of Cloghmine.

Edward Sherlock, of the city of Dublin, Esq.

Nicholas White, of Rosse, merchant

Borough of Fetherd.

The Right Hon. Col. James Porter
Captain Nicholas Stafford

County of Longford.

Roger Farrell, Esq.
Robert Farrell, Esq.

Borough of Lanisborough.

Oliver Fitz Gerrald
Roger Farrell

County of Mayo.

Gerrald Moor, Esq.
Walter Bourke, Esq.

Borough of Castlebarr.

John Breminham Portriffe

* It is to be remarked, that the only names, which appear not to be Irish in this list of the members are the two members for Bannow, and Mr. Luke Dormer, member for New Ross. All these three gentlemen were of English Catholic families: indeed there were supposed to have been only six Protestant members returned to that parliament. Most of the members were men of landed property, and probably were the fairest representation of the people of Ireland, that ever were sent to any parliament of that country. Mr. F. Plowden was a younger brother of the Plowdens of Plowden in Shropshire, and great great uncle to the author. He followed the fortunes of James, and acted as his treasurer at St. Germaine's, where after some years he married Mary, the daughter of the Hon. John Stafford Howard, who was the second son of William Viscount Stafford (beheaded in 1680) by Mary Stafford, the heiress of the noble family of that name, as well as to the ancient barony of Stafford, which was restored by Edward VI. to Henry Lord Stafford, the son of Edward Stafford, Duke of Buckingham, attainted and beheaded in 1520. Francis Plowden had issue by Mary his wife three children: Francis, who died unmarried at Paris in 1788; Louisa, who died unmarried at Paris in 1784; and Mary, who married Sir George Jerningham, of Coffey, in the county of Norfolk, Bart. whose eldest son the present Sir William Jerningham, if he survive Lady Stafford, a maiden lady of very advanced age now living at Paris, the last surviving daughter of William late Earl of Stafford, who died in 1734, will become sole heir to the barony of Stafford. The late Lady Jerningham was a singular instance of having lived to see six generations of her own family.

Thomas

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|--|---|
| Thomas Bourke, Esq.
<i>County of Downe.</i> | of a process of P. A. Palewheele,
Esq.
<i>Borough of Wicklow.</i> |
| Murtogh Mac Gennis, of Green Castle,
Esq. | Francis Tool, Esq. |
| Ever Mac Gennis, of Castle William,
Esq. | Thomas Byrne, Esq.
<i>Borough of Blessington.</i> |
| <i>Borough of Newry.</i> | James Eustace, Esq. |
| Rowland White, Esq. | Maurice Eustace, Gent. |
| Rowland Savage, Esq.
<i>Borough of Killileagh.</i> | <i>County of Kildare.</i> |
| Barnard Mac Gennis, of Ballygorean-
beg, Esq. | John Wogan, Esq. |
| Toole O'Niel, of Drummekelly, Gent.
<i>County of Dublin.</i> | George Aylmer, Esq.
<i>Borough of Neas.</i> |
| Simon Lutterell, of Lutterellstowne,
Esq. | Walter Lord Dungan |
| Patrick Sarsfield, of Lucan, Esq.
<i>Borough of Swords.</i> | Charles White, Esq.
<i>Borough of Athy.</i> |
| Francis Barnwall, of Woodscarke, in
the county of Meath, Esq. | William Fitz Gerrald, Esq. |
| Robert Russell, of Drynham, Esq.
<i>Borough of Newcastle.</i> | William Archbold, Esq.
<i>Borough of Harristowne.</i> |
| Thomas Arthur, of Colganstowne | James Nihell, Esq. |
| John Talbot, of Bellgard
<i>City of Dublin.</i> | Edmond Fitz Gerrald, Esq.
<i>Borough of Kildare.</i> |
| Sir Michael Creagh, Knt. Lord Mayor | Francis Leigh, Esq. |
| Terence Dermot, sen. Alderman
<i>College of Dublin.</i> | Robert Porter, Esq.
<i>King's County.</i> |
| Sir John Meade, Knt. | Hewer Oxburgh, Esq. |
| Joseph Coghlan, Esq.
<i>County of Wicklow.</i> | Owen Carrol, Esq.
<i>Borough of Phillipstowne.</i> |
| Richard Butler, Esq. | John Connor, Esq. |
| William Talbot, Esq.
<i>Borough of Caris-Fort.</i> | Hewer Oxburgh, Esq.
<i>Borough of Bannagher.</i> |
| Hugh Byrone, Esq. | Terence Coghlan, Esq. |
| Pierce Archbold, Esq. upon default | Terence Coghlan, Gent.
<i>Borough of Drogheda.</i> |
| | Henry Dowdal, Esq. Recorder |
| | Christopher Peppard Fitz George, Al-
derman |

<i>County of Loxeth.</i>	Christopher Nugent, of Dardystowne
Thomas Bellew, Esq.	
William Talbot, Esq.	<i>Borough of St. Johnston, in Commit.</i>
<i>Borough of Atherdee.</i>	<i>Longford.</i>
Hugh Gernon, Esq.	Sir William Ellis, Knt.
John Babe, Esq.	Lieutenant Colonel James Nugent
<i>Borough of Dundalk.</i>	<i>Borough of Portarlinton, in Queen's County.</i>
Robert Dermot, Esq.	Sir Henry Bond, Bart.
John Dowdgall, Esq.	Sir Thomas Hacket, Knt.
<i>Borough of Carlingsford.</i>	<i>Monaghan.</i>
Christopher Peppard Fitz Ignatius, Esq.	Bryan Mac Mahon, Esq.
Bryan Dermot, Esq.	Hugh Mac Mahon, Esq.
<i>County of Roscommon.</i>	<i>Gowran.</i>
Charles Kelly, Esq.	Colonel Robert Fielding, instead of
John Bourke, Esq.	Richard Butler, Esq.
<i>Borough of Fowre, in Commitat.</i>	
<i>West Meath.</i>	
John Nugent, of Donore, Esq.	

The commons chose Sir Richard Nagle their speaker, and Mr. John Kernly was clerk of that house.

King James's Speech to both Houses of Parliament in Ireland, published by his Majesty's Order, May 10th, 1689.

MY LORDS AND GENTLEMEN,

THE exemplary loyalty, which this nation exprest to me, at a time when others of my subjects so undutifully behaved themselves to me, or so basely betrayed me; and your seconding my deputy as you did, in his bold and resolute asserting my right, and preserving this kingdom for me, and putting it in a posture of defence, made me resolve to come to you, and to venture my life with you, in the defence of your liberty, and my right; and to my great satisfaction I have not only found you ready and willing to serve me, but that your courage has equalled your zeal. I have always been for liberty of conscience, and against invading any man's property;

perty; having still in my mind the saying of holy writ, Do as you would be done by; for that is the law and the prophets. It was this liberty of conscience I gave, which my enemies both abroad and at home dreaded, especially when they saw, that I was resolved to have it established by law in all my dominions, and made them set themselves up against me, though for different reasons; seeing that if I had once settled it, my people in the opinion of the one would have been too happy, and in the opinion of the other too great. This argument was made use of to persuade their own people to join with them, and too many of my own subjects to use me as they have done; but nothing shall ever persuade me to change my mind as to that: and wheresoever I am master, I design, God willing, to establish it by law, and to have no other test or distinction, but that of loyalty. I expect your concurrence in so Christian a work, and in making effectual laws against profanings and debauchery. I shall also most readily consent to the making such good and wholesome laws, as may be for the general good of the nation, the improvement of trade, and the relieving such as have been injured by the late acts of settlement, as far forth as may be consistent with reason, justice, and the public good of my people. And as I shall do my part to make you happy and rich, so I make no doubt of your assistance, by enabling me to oppose the unjust designs of my enemies, and to make this nation flourish. And to encourage you the more to it, you know with how great generosity and kindness the most Christian king gave a secure retreat to the queen, my son, and self, when we were forced out of England, and came to seek protection and safety in his dominions; how he embraced my interest, and gave such supplies of all sorts, as enabled me to come to you, which without his obliging assistance I could not have done: this he did at a time, when he had so many and so considerable enemies to deal with: and you see still continues to do. I shall conclude as I began, and assure you, I am as sensible as you can desire me, of the signal loyalty you have expressed to me, and shall make it my chief study, as it always has been, to make you and all my subjects happy.

The Parliament of Ireland's Address to the King.

MOST GRACIOUS SOVEREIGN,

WE your majesty's most dutiful and loyal subjects, the lords spiritual and temporal, and commons in parliament assembled, being highly sensible of the great honor and happiness we enjoy by your royal presence amongst us, do most humbly and heartily thank your sacred majesty for vouchsafing to come into this kingdom of Ireland; and for your grace and goodness to your subjects in calling this parliament, and for your majesty's tender and princely affection expressed to all your loving subjects, in your majesty's gracious speech at the opening of this session, which we most humbly beseech your majesty may be forthwith printed and published. And we further crave leave humbly to represent to your majesty, our abhorrence and detestation of the late treasons and defections of many of your majesty's subjects in this and your other kingdom; and the unnatural usurpation of the Prince of Orange, against the laws of God and man; professing with our voice, tongue, and heart, that we will ever be ready to assert and vindicate your majesty's rights to your imperial crown with our lives and fortunes against the said usurper and his adherents, and all other rebels and traitors whatsoever.

Ordered the 10th of May, 1689, by the Lords Spiritual and Temporal, and Commons in parliament assembled, that this address be printed.

B. POLEWHELE, Dep. Cl. Parl.

The several Bills that passed both Houses of Parliament in the Session begun at Dublin, the 7th of May, 1689, to which the late King assented, are as follows.

1. An act of recognition.
2. An act for annulling and making void all patents of officers for life or during good behaviour.
3. An act declaring that the parliament of England cannot bind Ireland, and against writs of error, and appeals to be brought for removing judgments, decrees, and sentences in Ireland into England.
4. An act for repealing the acts of settlement and explanation, resolution
of

of the doubts and all grants, patents and certificates, pursuant to them, or any of them.

5. An act for punishing of persons who bring in counterfeit coin of foreign realms, being current in this realm, or counterfeit the same within this realm, or wash, clip, file or lighten the same.

6. An act for taking off all incapacities of the natives of this kingdom.

7. An act for taking away the benefits of the clergy in certain cases of felony in this kingdom for two years.

8. An act to continue two acts made to prevent delays in execution: and to prevent arrests of judgment and superseding executions.

9. An act for repealing a statute, intituled, An Act for provisions of ministers in cities and corporate towns. And for making the church of St. Andrew's, in the suburbs of the city of Dublin, presentative for ever.

10. An Act of supply for his majesty for the support of his army.

11. An act for repealing the act for keeping and celebrating the 23d of October, as an anniversary thanksgiving in this kingdom.

12. An act for liberty of conscience, and repealing such acts or clauses in any act of parliament, which are inconsistent with the same.

13. An act concerning tythes, and other ecclesiastical duties.

14. An act for regulating tythes, and other ecclesiastical duties in the province of Ulster.

15. An act concerning appropriate tythes, and other duties payable to ecclesiastical dignitaries.

16. An act for repealing the act for real union and division of parishes, and concerning churches, free schools and exchanges.

17. An act for relief and release of poor distressed prisoners for debts.

18. An act for repealing an act, intituled, An Act for confirmation of letters patents, granted to his Grace James Duke of Ormond.

19. An act for encouragement of strangers and others to inhabit and plant in the kingdom of Ireland.

20. An act for prevention of frauds and perjuries.

21. An act prohibiting the importation of English, Scotch, or Welsh coals into this kingdom.

22. An act for ratifying and confirming deeds and settlements, and last wills and testaments of persons out of possession.

23. An act for the speedy recovering servants wages.

24. An

24. An act for vesting in his majesty the goods of absentees.
25. An act concerning martial law.
26. An act for punishment of waste committed on lands, restorable to old proprietors.
27. An act to enable his majesty to regulate the duties of foreign commodities.
28. An act for the better settling intestates estates.
29. An act for advance and improvement of trade, and for the encouragement and increase of shipping and navigation.
30. An act for the attainder of divers rebels, and for the preserving the interest of loyal subjects.
31. An act for granting and confirming unto the Duke of Tyrconnel, lands and tenements to the value of 15,000*l.* per annum.
32. An act for securing the water-course for the castle and city of Dublin.
33. An act for relieving Dame Anna Yolanda, Sarracourt, alias Duval and her daughter.
34. An act for securing iron-works and land thereunto belonging, on Sir Henry Waddington, Knight, at certain rates.
35. An act for the reversal of the attainder of William Ryan, of Bally Ryan, in the county of Tipperary, Esq. and for restoring him to his blood, corrupted by the said attainder.

The Preamble to the Act of Repeal of the Acts of Settlements and Explanation, &c. as it passed the House of Commons.

WHEREAS the ambition and avarice of the lords justices ruling over this your kingdom, in 1641, did engage them to gather a malignant party and cabal of the then privy council, contrary to their sworn faith and natural allegiance, in a secret intelligence and traitorous combination, with the Puritan sectaries in the realm of Great Britain, against their lawful and undoubted sovereign, his peace, crown and dignity, the malice of which made it soon manifest in the nature and tendency of their proceedings, their untimely prorogations of a loyal unanimous parliament, and thereby making void, and disappointing the effects of many seasonable votes, bills and addresses,

dressés, which passed into law, had certainly secured the peace and tranquillity of this kingdom, by binding to his majestie, the hearts of his Irish subjects; as well by the ties of affection and gratitude, as duty and allegiance there. The said lords justices traiterously disbanding his majestie's well assured Catholic forces, when his person and monarchy were exposed to the said rebel sectaries, then marching in hostile armes to despoil him of his power, dominion and life; their immediate calling into the place and stead of those, his majesty's faithful disbanded forces, a formidable body of disciplined troops, allyed and confederated in cause, nation, and principles with those rebel sectaries; their unwarrantable entertainment of those troops in this kingdom, to the draining of his majesty's treasury, and terror of his Catholic subjects, then openly menaced by them the aforesaid lords justices with a massacre and total extirpation; their bloody prosecution of that menace, in the slaughter of many innocent persons, thereby affrighting and compelling others in despair of protection from their government, to unite and take arms for their necessary defence, and preservation of their lives; their unpardonable prevarication from his majestie's orders to them, in retrenching the time by him graciously given to his subjects so compelled into arms, of returning to their duty; and stinting the general pardon to such only, as had no freehold estates to make forfeitures of; their pernicious arts in way-laying, exchanging, and wickedly depriving all intercourse by letters, expressés, and other communication and privity, betwixt your said royal father and his much abused people; their insolent and barbarous application of racks and other engines of torture to Sir John Read, his then majestie's sworn menial servant, and that upon their own conscious suspicions of his being intrusted with the too just complaints of the persecuted Catholics aforesaid. Their diabolical malice and craft, in essaying by promises and threats, to draw from him, the said Read, in his torments, a false and impious accusation of his master and sovereign, as being the author and promoter of the then commotion, so manifestly procured, and by themselves industriously spread.

And whereas a late eminent minister of state, for parallel causes and ends, pursuing the steps of the aforesaid lords justices, hath by his interest and power, cherished and supported a fanatical republican party, which heretofore opposed, put to flight, and chased out of this your kingdom of Ireland, the royal authority lodged in his person, and to transfer the calamitous con-

sequences of his fatal conduct from himself upon your trusty Roman Catholick subjects, to the breach of publick faith solemnly given and proclaimed in the name of our late sovereign, interposed betwixt them and his late majestie's general indulgence and pardon, and wrought their exclusion from that indemnity in their estates, which by the publick faith is specially provided for, and since hath been extended to the most bloody and execrable traitors, few only excepted by name in all your realms and dominions. And further, to preclude from all relief, and even access of admittance to justice, your said Irish Catholick people, and to secure to himself and his posterity, his vast share of their spoils, he the said eminent minister, did, against your sacred brother's royal promise and sanction aforesaid, advise and persuade his late majesty to give, and accordingly obtained his royal assent to two several acts. The one intituled, *An Act for the better Execution of his Majestie's gracious Declaration for the Settlement of this Kingdom of Ireland, and Satisfaction of the several Interests of Adventurers, Soldiers, and other his Majestie's Subjects there.* Which act was so past at a parliament held in this kingdom, in the fourteenth and fifteenth years of his reign: and the other, an act intituled, "An Act of Explanation, &c." Which act was passed in a sessions of the said parliament held in this kingdom, in the seventeenth and eighteenth years of his reign, most of the members thereof being such, as forcibly possessed themselves of the estates of your Catholick subjects in this kingdom, and were convened together for the sole special purpose of creating and granting to themselves and their heirs, the estates and inheritance of this your kingdom of Ireland, upon a scandalous, false hypothesis, imputing the traitorous design of some desperate, indigent persons, to seize your majestie's castle of Dublin, on the 23d of October, 1641, to an universal conspiracy of your Catholic subjects, and applying the estates and persons thereby presumed to have forfeited to the use and benefit of that regicide army, which brought that kingdom from its due subjection and obedience to his majestie, under the peak and tyranny of a bloody usurper! An act unnatural, or rather viperously destroying his late majestie's gracious declaration, from whence it had birth, and its clauses, restrictions and uses, inverting the very fundamental laws, as well of your majestie's, as all other christian governments. An act limiting and confining the administration of justice to a certain term or period of time, and confirming the patrimony of innocents unheard, to the most exquisite traytors, that now stand convict on record;

record; the assigns and trustees, even of the then deceased Oliver Cromwell himself, for whose arrears, as General of the regicide army, special provision is made at the suit of his pensioners. Now in regard the acts above mentioned do, in a florid and specious preamble, contrary to the known truth in fact, comprehend all your majestie's Roman Catholick subjects of Ireland, in the guilt of those few indigent persons aforesaid, and on that supposition alone, by the clause immediately subsequent to that preamble, vest all their estates in his late majestie, as a royal trustee, to the principal use of those, who deposed and murdered your royal father, and their lawful sovereign. And further-more, to the ends that the articles and conditions granted in the year 1648, by authority from your majestie's royal brother, then lodged in the Marquess of Ormond, may be duly fulfilled and made good to your majestie's present Irish Catholic subjects, in all their parts and intentions, and that the severall properties and estates in this kingdom may be settled in their ancient foundations, as they were on the 21st of October, 1641: And that all persons may acquiesce and rejoyce under an impartial distribution of justice, and sit peaceably down under his own vine or patrimony, to the abolishing all distinction of parties, countries and religions, and settling a perpetual union and concord of duty, affection, and loyalty to your majestie's person and government: in the hearts of your subjects be it enacted, &c.

No. XLV.

DOCTOR GORGE, *Secretary to General Schomberg in Ireland, his Letter to*
 COLONEL JAMES HAMILTON, *in London, to be communicated to the*
Lady Viscountess Ranelagh, the Lord Massareen, and others.

HONORED SIR,

THE fire, faith the royal prophet, kindled in my breast, and I spoke with my tongue: perhaps some sparks of that fire so enflamed my zeal to the public good of this country, that I have not onely spoke with my tongue, but wrote with my pen those truths which I know have redounded more to my particular prejudice, than to the public service. He

that follows truth too near, faith a wise man ; may lose his teeth ; and a wiser than he tells us, that he who professeth some truths, may thereby lose his life ; yet in the same period tells us, that he shall be no loser thereby ; the satisfaction and contentment which constantly attends integrity, being much sweeter than the advantage of temporal security. *Liberavi animam meam*, and if this make me vile, I am content to be more vile : I know God hath put enmity between the seed of the woman, and the seed of the serpent ; and I as well know, that it is as vain for man's prudence to attempt to unite what God hath divided, as it is sinful to divide what he hath united. I speak not a little to my satisfaction, what you know to be true, that our adversaries who are more God's than ours, want neither power nor malice to crush us ; such is the goodness of God, that they dare not own their hatred ; but are content not only to make me fall from my present station, soft and easy, but are willing to make my remove an advantage to me, little thinking, that taking me off from being secretary to the general, and making me secretary of state, necessitates one of my principles to be the more prejudicial to theirs : you know that notwithstanding all their public and private opposition, they are come up to many of our principles, and we still continue our distance to theirs, which for the better memory I shall enumerate in the following method, the better to obtain your belief in other particulars, which I shall here subjoin.

You know that I ever asserted, that those principles and practices which God blessed with success in the former Irish war, were most like to have the same success in this, which I told you were as followeth :

1. Though the Irish Papists had then, as appears by the excellent preface to the act of settlement, made that rebellion the most horrid and universal, as ever befel this kingdom ; and that nothing but the final extirpation of the British persons, laws, religion, and government was designed and endeavoured by that war ; yet the then English government thought not fit to tread in their steps, but still declined making the war either national or religious, and did declare, and, as you know, made their declaration good at the end of the war, that those of the Irish Papists as could prove their constant good affection to the English interest, as many then did, were as secure in their properties, as any of the British nation or religion ; and by this means so divided their interest, that Sir Charles Coote's northern army was most of it composed of Irish Papists, who fought faithfully and successfully against their

their countreymen, and many yet living know faithfully the white knight of Kerry and others as eminent as he, served General Cromwell.

2. By publick proclamation in those times, they protected Papists as well as Protestants, who would live peaceably under their government, from any violence to be done them by the soldiers, two private soldiers being publicly executed in the face of the whole army, for stealing two hens from an Irishman not worth sixpence, for violating the proclamation, the first day General Cromwell made his advance from Dublin towards Droghedagh.

3. They forbid, under the like penalty of death without mercy, any contempt or violation of the lord general's public orders and proclamations.

4. They prohibited all free quartering on the countrey, or any soldiers quartering without billets from the constable, and would not suffer any soldier to quarter himself.

5. They likewise under severe penalties forbid private soldiers straggling from their colours without passes, and ordered both civil and military magistrates to apprehend such stragglers, to send them to their colours, then to be punished according to their respective merits.

6. They gave great encouragement to Papists as well as Protestants, who would give hostages for their fidelity, and join with them.

7. They severely punished all open debauchery and impiety, and would frequently affirm, that good conduct was more usually blessed with success, than courage of armies.

8. Though they protected, as aforesaid, Papists as well as Protestants, from the soldier's violence, yet they left both to be fined, imprisoned or sequestered by the civil magistrates, according to their respective merits.

9. Both officers and soldiers were required to be aiding and assisting to put in execution all orders or directions of the civil magistrate, especially such as referred to the well management of the public revenue.

10. They laboured all they could to lessen the charge of England, and to encrease the public revenue of Ireland.

11. On assurance of punctual performance, they contented themselves with four days pay in a week, and placed the other three days, to be paid out of forfeited lands.

Lastly. By this abatement of their pay, and leaving rebels' goods, stock, and lands, and the public revenue to be improved by the civil magistrate, and making

making the foldiers duly pay for their quarters, they foon raifed in this kingdom a revenue, which bore a moiety of the charge of the war.

I might enumerate many other particulars, which having been the fubject matter of my difcourfe with yourfelf, and fome late letters I have wrote to Major Wildman, I intentionally decline. You know how often and how early we preffed the neceffity of reftoring a civil government in this province, and how often and openly we declared that the ruine of the countrey muft be the prejudice, and endanger the ruine of the army; and that there could be found no hands fo cheap and eafy to be got, or any that would be more hearty and faithfull than the Proteftants of this countrey, who having their particular interefts feconded by natural and religious motives muft be more zealous in carrying on this war, than any foreign or mercenary foldiers, as is evident by what has been done by the Londonderry and Enefkillen foldiers, who are and were made up of the meaneft and loweft people of this and the neighbouring provinces. You cannot forget who offered, and that at their own charge on our firft landing here, to block up Charlemont, and to raife regiments to fecure the northern garrifons, that the eftablifhed army might have the more leifure to attend the motions of the public enemy; and I preffume you cannot but as well remember, who ridiculed, fcorned, and condemned all motions of that kind, and who affirmed, and that openly, that the Proteftants of this province, ought rather to be treated as enemies than friends, and that the beft of them had either bafely complied with King James and his party, or cowardly left and deferted their countrey, that the goods and ftocks of the Proteftant inhabitants, once feized by the enemy, were forfeited, and ought not to be reftored, but given as encouragement to the foldiers; that all Papifts ought to be plundered, and none protected; that the reftoration of civil government was a diminution of the power of the general and the army, and that all the Proteftants, inhabitants of this province, were falfe to the prefent government, and ought not to be trufted with places of truft or power, that as their perfons were not to be trufted, fo their oaths and complaints were neither to be believed nor redreffed; that fo an eafier and a fafer approach might be made to invade the little left them by the Irish.

That all endeavours of the fettlement of a publick revenue were defigns to opprefs the army; that free quartering was the leaft retaliation that the Proteftants could give for being reftored to their former eftates; that religion is but canting, and debauchery the neceffary character of foldiers. If to thefe
you

you add the preſſing of horſes at pleaſure, quartering at pleaſure, robbing and plundering at pleaſure, denying the people bread or feed of their own corn, though the general by his public proclamation requires both, and ſome openly and publickly contemning and ſcorning the ſaid proclamation; whereby multitudes of families are already reduced to want of bread, and left only to beg, or ſteal, or ſtarve. Theſe being the practices, and theſe the principles, and both as well known to you as to me, can it be wondered that the oppreſſed Proteſtants here ſhould report us worſe than the Iriſh, or can it be wondered that God ſhould purſue us with his dreadful judgments who have ſo provoked him with our daring ſins? Or can we rationally expect God ſhould fight for us, while we thus fight againſt him? We may as well expect grapes from thorns, and figs from thistles, as ſucceſs to a Proteſtant cauſe from ſuch hands. Can we expect Sodom to deſtroy Babylon, or Debauchery to deſtroy Popery? Our enemy fights with the principle of a miſtaken conſcience againſt us, we againſt the conviction of our own principles againſt them. What I have learned of the enemy's principles and practices ſince I left you, I ſhall here inform you, and reduce what I have to ſay to theſe two general heads:

- I. The frequent diſcourſe of their king.
 - II. His public declarations and proclamations for the well government of his army.
- I. As to his private diſcourſe.
 1. He expreſſeth great zeal and paſſionate affection to his Engliſh ſubjects, in ſo much that both French and Iriſh often ſay of him, as he did of King David, that he loves his enemies and hates his friends.
 2. He is heard often to deſire his officers, that in their engagement with the Engliſh, they ſhould be treated as miſtaken ſubjects, and not as obſtinate rebels.
 3. He is heard often to declare, that ſince he rightly underſtood Chriſtianity, he ever aſſerted Chriſtian liberty, as well in his paſt proſperity, as his preſent adverſity.
 4. That all perſwaſions in matters of religion, who have moſt charity and leaſt of ſeverity, are moſt agreeable to Chriſtianity.
 5. He is often heard to complain, that he ever obſerved, an aptitude and propenſity in perſons of power to perſecute ſuch as differ from them.
 6. That this natural aptitude to perſecute ought to be reſtrained by wholeſome and effectual laws.

7. That

7. That this persecuting spirit influencing the greater number of all persuasions, especially persons in power, is the only cause of his majesty's present sufferings.

8. He is passionately kind to all deserters, and chearfully receives and soon prefers them.

9. He pretending his sufferings to be thus on the account of conscience; seems not to doubt, but God will find some unexpected means, for his restoration in 1690, as he did in 1660.

10. He is heard frequently to declare against the dragooning persecution of France, and the barbarous and inhumane murders committed on the Protestants of this kingdom in the year 1641, as passionately, and perhaps as sincerely as the Scribes and Pharisees did against their forefathers for persecuting the prophets. To these I think fit to add the particulars of his majesty's publick declarations, which are ordered to be read once every two months in the head of every troop and company in his whole army, and to be fixed up in all the boroughs and market towns in this kingdom.

1. His majesty is pleased earnestly to recommend the performance of publick and private duties to God, to all under his command, and particularly recommends to the Roman Catholics of his army frequent confessions, and strict observation of Sundays and holy-days.

2. He publickly declares what subsistence he allows to every horse, dragoon, and every private foldier in his army, and what is reserved in the paymaster's hands for the accoutrements and the hospital.

3. He avoids and forbids as unnecessary, the charge of all agents, and commands the majors of every regiment to do that work, and to save the charge.

4. He strictly requires the private foldier out of the said subsistence duly and truly to pay his quarters.

5. In case they shall want their subsistence, they are then required every week to give their respective landlords a note under their hands, which shall be received by the receiver general, as so much money out of any branch of his majesty's revenue.

6. His majesty forbids all straggling of private foldiers from their garrisons without their officers passes; and requires all officers, either military or civil, to apprehend such foldiers having no passes, and to send them to their colours, to receive punishment according to their demerits.

7. His

7. His majesty by the same proclamation, forbids all plundering on any pretence whatsoever, under pain of death without mercy.

8. He requires both officers and soldiers under the pain of his high displeasure to demean and behave themselves civilly and respectfully in their respective quarters; and to assist and not obstruct the civil magistrates in the execution of their respective trusts, especially the officers concerned in and about his majesty's revenue.

9. He forbids all officers and soldiers to quarter themselves on any of his majesty's subjects, without having a billet or ticket under the hand of the constable or other civil officer of the place.

10. He strictly forbids pressing any country-man's horse on any pretence whatsoever without having his majesty, his captain general, his lord lieutenant, or deputy lieutenant's license for so doing; and then allows them to press the said horse but one day's journey, and to see that the horse be returned as well as when received; and particularly forbids the pressing any horse belonging to any plough.

11. His majesty in the same proclamation, enjoynes severe penalties on all forestallers or obstructers of provision going to either camp or market.

Lastly. The respective penalties enjoined in the said proclamation, are severely and impartially executed on the respective offenders. My family tells me that the week before they left Dublin, there were two private soldiers executed before a Protestant baker's door, for stealing two loaves not worth a shilling. And a fortnight before, a lieutenant and ensign were publicly executed at a place, where on pretence of the king's service, they pressed a horse going with provisions to Dublin market; two others were condemned and expected daily to be executed for the like offence; these severe examples confirming the penalties of these publick declarations, contribute so much to the quiet of the countrey, that were it not for the countrey Rapparees and Tories, theirs 'tis thought, would be much quieter than ours. Some of our foreigners are very uneasy to us; had not the prudence of a discreet major prevented it, last Sunday was seven night had been a bloody day between some of the Danish foot and Collonel Langton's regiment of horse. The truth is too many of the English, as well as Danes and French, are highly oppressive to the poor countrey; whereas our enemy have reduced themselves to that order, that they exercise violence on none, but the proprietors of such as they know to be absent, or, as they phrase it, in rebellion

bellion against them, whose stock, goods and estates are seized, and set by the civil government, and the proceed applied for and towards the charge of the war. And for their better direction in their seizures, it's reported and believed, that they have copies of the particulars of the Protestant's passes given into the committee of the late House of Commons at Westminster.

The enemy's great work is to secure Dublin this summer, they fearing an attack before they could get forage for their horse; and willing to hasten that supply, they long since ordered all the deer in the Parks of the Phoenix and Rafternham to be destroyed, and cattle to be removed from Dublin to get the more earlier grass for their horse; of which by many letters, I gave that early notice, that I fear we may pay too dear for the delay; they have seized all the arms and serviceable horses they can find within their reach, the Irish having their religion and national principle supported on the pretence of law, and the presence of the king; and all so openly owned by France, make them more united and unanimously resolved than in any of their former wars. Their doctrine of passive obedience and liberty of conscience gives them too great help of Protestant hands; we have not a known Papist with us, they have hundreds of deluded Protestants with them. I am credibly told, that they have a small boat, which they send weekly to Wales to supply them with news from England; they spare for no charge to get spies and intelligence from our quarters; they report they have daily deserters, and could have more, did they not presume they may be more serviceable to them by continuing with us. They openly declare, that our army consists most of their deserters, and that it was success made them leave them, and that the same motive will bring them back again. They told the number and the time of the Danes landing, and foretell that we shall soon repent their coming among us; they report, that laying aside the Protestant hands of this country, and the other fore-mentioned principles, were arrows taken out of their quivers; they tell us, that our king cannot be here till June, and that they shall be ready a month sooner to receive him. They report his army to be thirty thousand, with vast stores of arms and ammunition and provision; the Londonderry and Eneskillen forces, with the recruits of this country, are more dreadful to them than all our foreign forces. They are resolved on a defensive war, and in case they have their promised supplies, they seem not to doubt but to keep Dublin this summer; their great difficulty is, what to do with the great number of Protestants among them; they have many proposals

fals under confideration, but as yet they came to no refolution. The king is much averfe to all feverity, yet clearly fees he can make no impreffion of loyalty on them. The enemy (as my wife and family, which have got leave lately to come to me from Dublin, tell me), report with more confidence than, I hope, truth, that we have many Monks in our army, many Sandwiches in our fleet, and many Shaftsbury's in our councils; and that they laid thofe variety of engines both in England, Scotland, and Ireland, that they feem not to doubt but that they fhall have as many invitations for their return in England in 1690, as they had in 1660; and that this fummer they fhall be able to get eighty thoufand men into the field, and find money for their confiant pay.

Being fo united as they are, and carrying on the war with fo great concurrence of their church, and having France for an additional fupport, I do no ways wonder but that they may have as many men; but how to procure them confiant pay, was fomewhat my trouble to know. By their eftablifhment, I find, befides accoutrements and hofpital, that the pay of a foot foldier is but 4d. a trooper as much over as a dragoon is fhort of 12d. per diem; fo that feventy thoufand foot will amount to 456,000*l.* per annum; and ten thoufand horfe, at 12d. per diem, amounts to above 182,000*l.* making in the whole 638,000*l.* and if one fourth more is added for general officers, train of artillery, contingencies, &c. the whole amounts to 797,000*l.* How this fum may be raifed out of only three provinces of this country, feems to be the great doubt. By comparing feveral accounts I have received from fpies, I find the heads of their revenue to be as followeth:

1. I find the late parliament of Ireland granted their king a fubfidy of 20,000*l.* per menfem, charged on flock and lands.

2. The enemy finding us poffeffed of one province fince the paffing that act; and finding much of the other three provinces made wafte by their order; and that by the frequent returns of their brafs and pewter money, a great inland trade is increafed, they have, by public proclamation, ordered 20,000*l.* more to be affeffed on the trading part of the nation, according to their refpective trades; both which are prefumed cannot yield lefs than 30,000*l.* per *menfem de claro*, which is per annum 360,000*l.*

3. They have bought on the king's account all the wool, at 6*s.* per ftone, tallow at 15*l.* per tun, beef, tallow, hides, &c. which they intend to fend for France to buy arms and ammunition, &c. which they efteem may be worth

at least 200,000*l.* the wool licence at 4*d.* per stone, to transport it only for England, was usually worth to the chief governors 4 or 5000*l.* per annum.

4. It is reported, they have agreed with persons who are obliged to coin them this year 150,000*l.* brass and pewter money.

5. The rent of church lands and absentees estates, besides their goods and stocks, are estimated at least to be 150,000*l.* per annum; the truth of this will appear by the aforefaid books given into the committee of parliament.

6. The king's standing revenue of rents, hearths, customs, excise, and casual revenue, cannot be less than 150,000*l.* more.

Memorandum. That all the aforefaid particulars amount to 860,000*l.* out of which deduced the 797,000*l.* there will remain 73,000*l.* besides what helps may be given him by France, &c. and the addition that may be made by their coining brass and pewter money above the aforefaid contract, which brass and pewter coin being not fit to be kept, quickens returns, and increaseth their trade. By all which it appears, that the enemy cannot want current coin to support the war: but had we ships of war lying by in their harbour to prevent their exportations; and were Dublin secured, their trade and revenue would soon be lessened. But if they are suffered to export their vast quantity of goods they have now stored up in their ports, it may not only give a further increase to their revenue, but occasion a longer continuance of the war, especially having made the establishment of their army so low, and the current value of their brass coin so high. Their brass and pewter coin is of equal weight with our silver coin, which being usually bought for 12*d.* per pound, is of equal value with our silver, which is 3*l.* per pound: and their establishment being a moiety short of ours, 'tis demonstrable, that six-penny worth of their brass or pewter money, shall pay double as many soldiers as 3*l.* of our silver coin. What advantage this money gives their trade: what ease in the pay of the army, and supplying them with provision, is very demonstrable; yet 'tis as strange as true, that notwithstanding they are better paid, better disciplined than our army, yet hitherto we may set up an Ebenezer, and say, that a God hath hitherto fought for us; and that by the seeming worse discipline, worse mounted, and worse of our whole army; I mean by our Eneskillen and Londonderry forces, whose moral and religious principles you know are little better, but generally worse than theirs, they having constantly beat their most choice and detached parties, with a confused and disordered rabble, when they were not half the number of their enemies, and have struck them with
that

that terror, that it is believed, notwithstanding their great number, and provision for their support, the enemy intends this summer only a defensive war, and to fight only by detachments. But that which to me seems most strange, yet is true, that notwithstanding all the violence, oppression, and wrong done, by these and other of our army, on the impoverished, oppressed, and plundered Protestant inhabitants of this province, and the little encouragement and great discouragement they have had from us; yet you know, what I esteem as a great presage of future good, they continue and remain as firm and faithful to us, as the Irish papists against us. How frequently do we hear them tell us, that though we continue to injure them, rob and destroy them, yet they must trust in us, and be true and faithful to us.

We have just now intelligence of the arrival of the French succours, and vast stores of arms and provisions. Oh, sir! where's our fleet? Did they want early notice of their approach? What lethargy attends them, and what judgment us, that the Irish have had as secure passage from Dublin to France, Scotland, and England, as if we had not one man of war to hinder them, or secure us? If the French fleet carry off as vast quantities of our native goods as they have brought in their foreign succours, Ichabod may be wrote on our future proceedings, it being believed by some, and confidently reported by others lately come from Dublin, that they were apprehending the chief Protestants in and about that city, to transport and make them prisoners and slaves of France.

Let me know the receipt of this voluminous letter, and the use you make of it. You may pardon the tediousness of this letter, which, if an offence, is not likely to be hastily repeated.

Your true friend and faithful servant,

ROBERT GORGE.

No. XLVI.

An Act for the Attainder of divers Rebels, and for preserving the Interest of loyal Subjects. (Page 139.)

HUMBLY beseech your majesty, the commons in this present parliament assembled, that whereas a most horrid invasion was made by your unnatural enemy

enemy the Prince of Orange, invited thereunto, and assisted by many of your majesty's rebellious and traitorous subjects of your majesty's dominions; and such their inviting and assisting, made manifest by their perfidious deserting your majesty's service, in which, by your many princely obligations, besides their natural duties, they were bounden; and having likewise to obtain their wicked ends, raised and levied open rebellion and war in several places in this kingdom, and entered into associations, and met in conventions in order to call in and set up the said Prince of Orange, as well in Ulster and Connaught, as in the other provinces of Munster and Leinster: to quell which, your sacred majesty's late deputy in this kingdom, Richard, then Earl, and now Duke of Tyrconnel, before your majesty's happy arrival in this kingdom; and your sacred majesty since your arrival here, have been necessitated to raise an army to your majesty's great charge and expence. And though the said rebels and traitors, after their having the impudence to declare for the Prince and Princess of Orange against your sacred majesty, were with all mildness and humanity called in to their allegiance, by proclamations, and promises of pardon for their past offences, and protection for the future: and though some of the said proclamations assured pardon to all such as should submit themselves; and that no persons were excepted in the last proclamation besides very few, not exceeding ten in number, and few or none of any note came in, in obedience thereunto, and that very many of the persons who came in upon protections, and took the oath of allegiance to your majesty, were afterwards found amongst the rebels in open arms and hostility, when taken prisoners or killed, such protections being found with them: so villainous were they by adding perjury to their former crimes: That it may be enacted, and be it enacted by your most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, That all those persons, who have notoriously joined in the said rebellion and invasion, and some which are upon indictments condemned, some executed for high treason, and the rest ran away, or abscond, or are now in actual service of the Prince of Orange against your majesty, and others killed in open rebellion, or now in arms against your majesty, or otherwise: and every of them shall be deemed, taken and reputed, and are hereby declared and adjudged traitors, convicted and attainted of high treason, and shall suffer such pains of death, penalties and forfeitures respectively, as in cases of high treason are accus-

accustomed. Provided, that in case it happen, that any of the persons hereby attainted, or to be attainted, do now abide or dwell in this kingdom, and are amenable to the law, that then and in such case, if such person and persons do by the 10th day of August, one thousand six hundred and eighty-nine, without compulsion, of his own accord come in and deliver himself to the lord chief justice of your majesty's court of King's Bench in Ireland, or to any other of the judges of the said court, or of any other of your majesty's four courts in Dublin, or to any other judge of assize in their circuits to be charged with any treason, to be charged or imputed to him or them, that then and in such case, such person and persons (if after acquitted by the laws of this land, or discharged by proclamation) shall be freed, discharged, and acquitted from all pains, punishments, and forfeitures by this act incurred, laid, or imposed; any thing in this act to the contrary in any wise notwithstanding. And whereas several other persons have absented themselves from this kingdom, and have gone into England or some other places beyond the seas, since the 5th day of November last, or in short time before, and did not return, although called home by your majesty's gracious proclamation: which absenting, and not returning, cannot be construed otherwise than to a wicked and traitorous purpose, and may thereby justly forfeit all their right and pretensions to all and every the lands, tenements, and hereditaments to them belonging in this kingdom: be it therefore enacted by the authority aforesaid, that in case the said person and persons do not by the 1st day of September, one thousand six hundred eighty-nine, of his or their own accord, without compulsion, return into this kingdom, and tender him and themselves to the chief justice of his majesty's court of King's Bench, or to some other judge of the said court, or judge of assize in circuit, or any of the lords of your majesty's most honorable privy council to be charged with any crimes to him or them to be imputed, that then, or in such case as he or they, upon such his or their return, shall be convicted by verdict of twelve men, or by his or their own confession, upon his or their arraignment for treason, or upon his or their arraignment stand mute, such person and persons so absent, and not returning, as aforesaid, (or after his or their return, being convicted of high treason, as aforesaid) shall, from and after the 1st day of September, one thousand six hundred eighty-nine, be deemed, reputed, and taken as traitors, convict and attainted of high treason; and shall suffer such pains of death, and other forfeitures and penalties, as in cases of high treason are accus-

accustomed. But in case such person or persons so returning, be upon his or their trial acquitted or discharged by proclamation, then such person and persons respectively shall from thenceforth be freed, discharged, and acquitted from all pains, punishments, and forfeitures by this act incurred, laid, or imposed; any thing in this act to the contrary notwithstanding.

And whereas several persons have before the said 5th day of November last, absented themselves from this kingdom, and live in England, Scotland, or the Isle of Man, and there now abide; and by their not coming or returning into this kingdom upon your majesty's proclamation, to assist in defence of this realm, according to their allegiance, must be presumed to adhere to the said Prince of Orange, in case they return not within the time by this act prescribed, and thereby may justly forfeit all the lands, tenements, and hereditaments, which they or any of them are entitled unto, within this kingdom: be it therefore enacted by the authority aforesaid, that in case the said person and persons last mentioned, do not by the 1st day of October, one thousand six hundred eighty-nine, of his and their own accord, without compulsion, return into this kingdom, and tender him and themselves to the chief justice of your majesty's court of King's Bench, or to some other judge of the said court, or judge of assize in his circuit, or any of the lords of your majesty's most honorable privy council to be charged with any crime or crimes to him or them, to be charged or imputed, that then, or in case he or they, upon such his or their return, shall convict by verdict of twelve men, or by his or their own confession, upon his or their arraignment for treason, or upon his or their arraignment, stand mute; such person and persons so absent, and not returning as aforesaid, or after his or their return being convict of treason as aforesaid, shall, from and after the said 1st day of October, one thousand six hundred eighty-nine, be deemed, reputed and taken as traitors, convict, and attainted of high treason, and suffer such pains of death, and other forfeitures and penalties, as in cases of high treason is accustomed: but in case such person and persons so returning, upon such his or their trial, be acquitted or discharged by proclamation, then such person and persons respectively shall from thenceforth be freed, discharged, and acquitted from all pains, punishment, and forfeitures by this act incurred, laid, or imposed; any thing in this act to the contrary notwithstanding. Provided always, that in case your majesty shall happen to go into the kingdom of England or Scotland before the 1st day of October, one thousand six hundred

dred eighty-nine, then all those whose dwelling and residence always hath been in England, shall give your majesty such testimony of their loyalty and fidelity, as that your majesty will be pleased on or before the said 1st day of October, one thousand six hundred eighty-nine, to certify under your privy signet or sign manual unto your chief governor or governors of this kingdom, that your majesty is satisfied or assured of the loyalty and fidelity of the persons last included, or of any of them; that then if such certificate shall on or before the 1st day of November, one thousand six hundred eighty-nine, be produced to your chief governor or governors of this kingdom, and enrolled in your majesty's high court of Chancery, the same shall be sufficient discharge and acquittal to such of the said persons last included, and every of them respectively, whose loyalty and fidelity your majesty will be pleased to certify in manner as aforesaid. And be it further enacted, that in the mean time, and until such return and acquittal, all the lands, tenements, and hereditaments within this kingdom, belonging to all and every absentee and absentees, or other person to be attainted as aforesaid, shall be and are hereby vested in your majesty, your heirs and successors, as from the 1st day of August last past. And be it further enacted by the authority aforesaid, that all and every such person and persons, as by any the foregoing clauses is, are, or shall be respectively attainted, shall, as from the 1st day of August, one thousand six hundred eighty-eight, forfeit unto your majesty, your heirs, and successors, all such manors, lands, tenements, and hereditaments, and all right, title, service, chiefery, use, trust, condition, fee, rent charge, right of redemption of mortgages, right of entries, right of action, or any other interest of what nature or kind soever, either in law or equity, of, in, or unto any lands, tenements, or hereditaments within this kingdom, belonging or appertaining to such person or persons, so as aforesaid attainted, or to be attainted, in his or their own right, or to any other in trust for him or them, on the said 1st day of August, one thousand six hundred eighty-eight, or at any time since, and all the said lands, tenements, and hereditaments, so as aforesaid, forfeited unto and vested in your majesty, your heirs and successors, hereby are and shall be vested in your majesty, your heirs and successors, whether such person or persons were seized thereof in fee absolute or conditional, or in tail, or for live or lives, and that freed and freely discharged off and from all estates tail, and for life, and from all reversions and remainders for life, for years, or in fee absolute or conditional, or in tail, or to any person

or persons whatsoever, such remainder as by one act or statute of this present parliament, intituled, an act for repealing the acts of settlement and explanation, resolution of doubts, and all grants, patents, and certificates pursuant to them or any of them, or by this present act are saved and preserved, always excepted and fore-prized. Provided always, that the nocency of forfeiture of any tenant in dower, tenant by the courtesy, jointress for life, or other tenant for life or lives in actual possession, shall not extend to bar, forfeit, make void, or discharge any reversion or reversions vested in any person or persons, not engaged in the usurpation or rebellion aforesaid, such reversion and reversions being immediately depending or expectant upon the particular estate of such tenant in dower, tenant by the courtesy, jointress for life, or other tenant for life or lives; any thing in the said act of repeal, or in this present act to the contrary notwithstanding. Provided always, and be it further enacted by the authority aforesaid, that nothing in this present act contained, shall any way extend, or be construed to extend, to forfeit or vest in your majesty, your heirs or successors any remainder or remainders for valuable considerations, limited or settled by any settlement or conveyance made for such valuable considerations, either of marriage or marriage portion, or other valuable consideration whatsoever, upon any estate for life or lives, to any person or persons not concerned in the usurpation or rebellion aforesaid; such remainder or remainders as are limited or settled by any conveyance, wherein there is any power for revoking and altering all or any the use or uses therein limited, and also such remainder and remainders as are limited upon any settlement or conveyance of any lands, tenements, and hereditaments, commonly called plantation lands; and all lands, tenements, and hereditaments held or enjoyed under such grants from the crown, or grants upon the commission or commissions of grace for remedy of defective titles, either in the reign of King James the First, or King Charles the First; in which several grants respectively there are provisos or covenants for raising or keeping any number of men or arms for the king's majesty against rebels and enemies, or for raising of men for his majesty's service, for expedition of war, always excepted and fore-prized. All which remainders limited by such conveyances wherein there is power of revocation for so much of the lands, uses, and estates therein limited as the said power doth or shall extend unto; and all such remainders as are derived or limited for or under such interest made of plantation lands, or other lands held as aforesaid, under such grants from the crown; and all
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and every other remainder and remainders, reversion and reversions not herein mentioned, to be saved and preserved, shall by the authority of this present parliament, be deemed, construed, and adjudged void, debarred, and discharged to all intents and purposes whatsoever, against your majesty, your heirs, and successors, and your and their grantees or assigns; and the said lands, tenements, and hereditaments, belonging to such rebels as aforesaid, shall be vested in your majesty, your heirs, and successors, freed and discharged of the said remainder and remainders, and every of them. And to the end the reversions and remainders saved and preserved by this act, may appear with all convenient speed, be it further enacted by the authority aforesaid, that the respective persons, entitled to such remainders and reversions, do within sixty days next after the first sitting of the commissioners, for executing the said act of repeal, and this present act, exhibit their claims before the said commissioners, and make out their titles to such remainder or remainders, so as to procure their adjudication and certificate for the same, or the adjudication and certificate of some three or more of them: and further, that all remainders for which such adjudication and certificates shall not be procured, at or before one hundred and twenty days after the first sitting of the said commissioners, shall be void, and for ever barred and excluded; any thing in this act, or other matter to the contrary in any wise notwithstanding. All which lands, tenements, and hereditaments mentioned as aforesaid, to be forfeited unto, and vested in your majesty, by any the clauses aforesaid, are hereby declared to be so forfeited unto, and vested in your majesty, without any office or inquisition thereof, found or to be found; and the same to be to the uses, intents, and purposes in the said act of repeals, and in this present act mentioned and expressed. And whereas several persons are, and for some time past have been absent out of this kingdom, and by reason of sickness, nonage, infirmities, or other disabilities, may for some time further be obliged so to stay out of this kingdom, or be disabled to return thereunto. Nevertheless, it being much to the weakening and impoverishing of this realm, that any of the rents or profits of the lands, tenements, or hereditaments therein, should be sent into, or spent in any other place beyond the seas, but that the same should be kept and employed within the realm for the better support and defence thereof, be it further enacted by the authority aforesaid, that all the lands, tenements and hereditaments, use, trust, possession, reversion, remainder, and all and every other estate, title, and interest

whatsoever, belonging or appertaining to all and every the persons herein before last mentioned, within this kingdom, be and are hereby vested in your majesty, your heirs, and successors, to the use of your majesty, your heirs, and successors. Provided always, that if any person or persons, in the next foregoing clause included, have hitherto behaved themselves loyally and faithfully to your majesty, that then if they or any of them, their or any of their heirs, do hereafter return into this kingdom, and behave him or themselves as becometh loyal subjects, and do, on or before the last day of the first term next ensuing, after such their return, exhibit his or their petition or claim, before the commissioners for execution of the said acts, if then sitting; or in his majesty's high court of Chancery, or in his majesty's court of Exchequer, for any such lands, tenements, or hereditaments, and make out his or their title thereunto, and obtain the adjudication and decree of any of the said courts, of and for such his or their title, that then and in such case, such adjudication and decree shall be sufficient to all such person or persons, for divesting and restoring such estate, and no other shall be therein and thereby to him or them adjudged and decreed; and that the order of any of the said court shall be a sufficient warrant to all sheriffs, or other proper officers to whom the same shall be directed, to put such person or persons in the actual seizin and possession of the said lands; any thing in this act contained, or any other statute, law, or custom whatsoever to the contrary in any wise notwithstanding. Provided always, and be it further enacted by the authority aforesaid, that neither the said act of repeal, or this present, or any thing in them or in either of them contained, shall extend to, or be construed to forfeit or vest in your majesty, your heirs, or successors; or otherwise to bar, extinguish, or weaken any right of entry, right of action, use, trust, lease, condition, or equity of redemption of any mortgage or mortgages, which on the said 1st day of August, one thousand six hundred eighty-eight, belonged or appertained to any persons, not being forfeiting persons, within the true intent and meaning of the said act of repeal, or of this present act; and which ever since the 1st day of August, one thousand six hundred eighty-eight, continued or remained in such persons, not being forfeiting, or devolved, descended, or come from them, or any of them, to any of their heirs, executors, or administrators, not being forfeiting persons as aforesaid; any thing in this act, or the said act of repeal to the contrary notwithstanding. Provided always, that the said person or persons, claiming such right of entry, right of action,

action, use, trust, lease, condition, or equity of redemption of mortgage, do and shall exhibit his and their claim for the same, before the commissioners for execution of the said act of repeal, or of this present act, within sixty days after the first sitting of the said commissioners, and procure the adjudication of them, or any three or more of them thereupon, within one hundred and twenty days after the said first sitting of the said commissioners. And whereas by one or more office or offices, in the time of the Earl of Strafford's government in this kingdom, in the reign of King Charles the First, of ever blessed memory, all or a great part of the lands, tenements, and hereditaments in the province of Connaught, and counties of Clare, Limerick, and Tipperary, were vested in his majesty: and by the acts of settlement and explanation, the said office and offices are declared to be null and void, since which time the said acts have been by the said act of repeal, repealed, and thereby some prejudice might arise or accrue to the proprietors concerned in those lands, if not prevented: be it therefore enacted by the authority aforesaid, that the said office and offices, and every of them, commonly called the grand office, and the title thereby found, or endeavoured to be made out and set up, from the time of the finding or taking thereof, was and is hereby declared to be null and void, to all intents and purposes whatsoever. Provided, that nothing therein contained shall any way extend, or be construed to extend, to charge any person or persons who hath, *bona fide*, paid any rents or arrears of rent, that have been due and payable out of any lands hereby vested in your majesty; or to charge any steward or receiver, that received any such rents, or arrears of rents, if he, *bona fide*, paid the same; but that he and they shall be hereby discharged, for so much as he or they so *bona fide* paid, against your majesty, your heirs, and successors. Provided always, and it is hereby enacted, that every person not being a forfeited person, within the true intent and meaning of the said former act, or of this present act, and who before the seventh day of May, one thousand six hundred eighty-nine, had any statute staple, or recognizance for payment of money, or any mortgage, rent charge, portion, trust, or other incumbrance, either in law or equity, or any judgment, before the two and twentieth day of May, one thousand six hundred eighty-nine, for payment of money, which might charge any of the estates, lands, tenements, or hereditaments, so as aforesaid forfeited unto, and vested in your majesty, shall and may have the benefit of the said statute staple, judgments, recognizances, mortgages, rent-

rent-charge, portions, trusts, and other incumbrances, out of the estate or estates which should be liable thereunto, in case the said former act, or this present act had never been made. Provided always, that the person and persons who had such statutes staple, judgment, recognizances, or other trusts or incumbrances, do claim the same before the commissioners, for execution of the said former act, within two months after the first sitting of the said commissioners, and procure their adjudication thereof, within such reasonable time as the said commissioners shall appoint for determining the same. And to the end that such person and persons as shall have any of the said lands, tenements, or hereditaments, granted unto him as aforesaid, may know the clear value of the said lands, tenements, and hereditaments, so to be granted unto him above all incumbrances, and may enjoy the same against all statutes staple, judgments, recognizances, mortgages, rent-charges, and other incumbrances not claimed and adjudged as aforesaid.

Be it therefore enacted, by the authority aforesaid, that all such lands, tenements and hereditaments, as shall be forfeited unto and vested in your majesty, and granted by letters patents pursuant to the said former act, or this present act, shall be, and are hereby freed, acquitted and discharged of and from all estates, charges and incumbrances whatsoever, other than what shall be claimed and adjudged as aforesaid. And whereas by one private act of parliament, intituled, An act for securing of several lands, tenements, and hereditaments to George Duke of Albermarle, which act was passed in the reign of King Charles the Second; some lands, tenements, and hereditaments in this kingdom, which on the two and twentieth day of October, one thousand six hundred forty-one, belonged to some ancient proprietor or proprietors, who were dispossessed thereof by the late usurped powers, were secured and assured unto the said Duke of Albermarle, by means whereof the ancient proprietors of the said lands may be barred and deprived of their ancient estates, unless the said act be repealed, though such ancient proprietor or proprietors be as justly intituled to restitution as other ancient proprietors, who were dispossessed by the usurper, and barred by the late acts of settlement and explanation. Be it therefore enacted, that the said act for securing of several lands, tenements, and hereditaments to George Duke of Albermarle, be and is hereby repealed to all intents and purposes whatsoever: and that the proprietors of the said lands, and their heirs and assigns, be restored to their said ancient estates in the same manner with the said other ancient

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cient proprietors, their heirs and assigns. And whereas several ancient proprietors, whose estates were seized and vested in persons deriving a title under the said acts of settlement or explanation, have in some time after the passing of the said acts, purchased their own ancient estates, or part thereof, from persons who held the same under the said acts as aforesaid, which old proprietors would now be restored to their said ancient estates, if they had not purchased the same. And for as much as the said ancient proprietors or their heirs should receive no benefit of the said act of repeal, should they not be reprized for the money paid by them for their said ancient estates. Be it therefore enacted, by the authority aforesaid, that all and every the ancient proprietor or proprietors, or their heirs, who have laid out any sum or sums of money, for the purchase of their own ancient estates, or any part thereof as aforesaid, shall receive out of the common stock of reprizals a sufficient recompence and satisfaction for the money laid out or paid by him or them, for the purchase of their said ancient estate, at the rate of ten years purchase, any clause, act, or statute to contrary in any wise notwithstanding. And for the prevention of all unnecessary delays and unjust charges, which can or may happen to the subjects of this realm before their full and final settlement, be it further enacted, by the authority aforesaid, that where the commissioners for execution of the said act of repeal, or any three or more of them, shall give any certificate under his and their hands and seals to any person or persons, bodies politick or corporate, in order to the passing of any letters patents, according to the said act, and shall likewise return a duplicate of such certificate into his majesty's court of Exchequer at Dublin, to be there enrolled, and the person or persons, bodies politick or corporate, to whom such certificate shall be given, shall, during the space of six months next ensuing the date thereof, diligently prosecute the having and obtaining letters patents accordingly, but shall thereof be debarred and hindered by the neglect of any officer or officers; that then and in such case the several and respective persons, bodies politick and corporate, to whom and in whose behalf such certificate shall be given or granted, shall hold and enjoy the several messuages, manors, lands, tenements, and hereditaments, in the several respective certificates mentioned and allotted, according to such estates and under such rent as is therein mentioned, as fully and amply to all intents and purposes; as if letters patents thereof had been granted and perfected according to the direction in the said former act; any thing in this, or the said former act, or
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any other law, statute, or usage to the contrary notwithstanding. And whereas, by the hardships and oppressions introduced by the said act of settlement and explanation, some ancient proprietors who would have been restorable by the said act of repeal, have been necessitated to accept of leases for life, lives or years, or gifts in tail, or other conveyances of their own respective estates, and have contracted to pay some rents, duties, or other reservations out of such their ancient estates, by which acceptance of leases or gifts before mentioned, and by the said agreements to pay rents, duties, or reservations for the same, the said ancient proprietors may be barred or stopped, and concluded from the benefit of restitution, intended for ancient proprietors by the said act of repeal; be it therefore enacted, that the acceptance of any lease or leases, gift or gifts in tail, or any agreement or agreements upon any such account for payment of rents, duties, or any other reservation, for such their respective ancient estate or estates, shall be no way prejudicial or binding, or conclusive to any such ancient proprietor, or his or their heirs, executors, or administrators, who have not actually by some legal ways or means, released his or their right or rights to his or their said ancient estates, unto their said lessors or donors: any thing herein or in the said act of repeal, to the contrary notwithstanding. Whereas some or most of the lands to be given in reprizals, have not been surveyed by the surveys, commonly called the Down Survey, or Strafford Survey; and that a certain way is necessary to be prescribed for ascertaining the quit-rents now made payable thereout. Be it therefore enacted, by the authority aforesaid, that the commissioners for the executing of the said act of repeal, or any three of them, shall and may be empowered to ascertain such quantities payable out of such lands so to be given in reprize, and to that purpose to issue commissions for valuations or surveys, as they shall think fit; and that such surveys shall be made according to the rules and methods used for the Down Survey, wherein the unprofitable is to be thrown in with the profitable, and where the lands appear barren, or the quit-rents by the said act of repeal, proper or fit to be reduced, it shall and may be lawful for them to reduce the same; in which case such reduced or reserved quit-rents, shall be and are hereby the only quit-rent payable out of the said lands, if such quit-rents be more than the crown-rents, before this act payable out of the said lands. But in case the ancient crown-rent be more, the greater rent shall be the rent reserved thereout. Provided yet likewise, that the commissioners for the execution of the
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faid act of repeal, or in default of them, the barons of their majestie's court of Exchequer, within five years after the first sitting of the commissioners, for the execution of the faid act, shall be and are hereby impowered to reduce the quit-rents by the faid act, and payable out of lands, by the faid act of repeal so to be restored, or formerly restored to the former proprietors thereof, where the lands are barren, or of so small value that the quit-rent doth amount to the fourth part of the value of the lands, and may be discouragement to the plantation of the faid lands, and that such ascertaining or abating of quit-rents, under the hands and seals of the faid commissioners or barons respectively, shall be good and effectual, as if the same had been enacted by these presents, any thing herein, or in the faid acts of repeal contained to the contrary notwithstanding. And be it further enacted, that the commissioners to be appointed for setting forth reprizals pursuant to the faid act of repeal, or any three of them, shall out of the stock of reprizals therein, and in this present act, or in either of them mentioned, set forth and allot reprizals to such person and persons, as by virtue of this present act are appointed to be reprized, and shall and may also execute such other parts of this act as are to be executed by commissioners. And whereas divers lands, tenements, and hereditaments forfeited unto and vested in your majesty, are or may be found to be liable to divers debts or other entire payments saved by this act: and for levying and receiving the same, the person or persons intitled thereunto, might charge any part of the lands, tenements, or hereditaments, originally liable to the faid debts or payments, with more than a just proportion thereof, whereby some of the persons, to whom part of the faid lands, tenements, or hereditaments shall be allotted or granted in reprizal, may be overcharged in such part or proportion of the faid lands, tenements or hereditaments, as shall be so to him or them granted or allotted, which may occasion great prejudice and loss to some of the faid reprizable persons, if due course be not taken for appointing the faid debts and payments: for remedy whereof, be it enacted by the authority aforesaid, that the commissioners for executing of the faid act of repeal, and this present act, or any three or more of them, be and are hereby empowered and required equally to apportion such debts and payments as shall appear to them to be chargeable upon, or levyable out of any lands, tenements, and hereditaments, to be set forth for reprizals as aforesaid: and to ascertain what proportion of such debts or payments each and every proportion of the lands, tenements,

and hereditaments, which were originally liable thereunto, and which shall be separately set forth for reprizals as aforesaid, shall remain liable to pay or discharge, and the respective grantees, and every of them, and their respective proportions of the said lands, tenements, and hereditaments to them allotted for reprizals, shall not be liable to any more of the said debts or payments, than by the said apportionment shall be appointed and directed, which proportion of the said debts or payments is to be inserted in the certificate, to be granted of the lands liable thereunto, if the person or persons obtaining such certificate, shall desire the same; any thing in this or the said act of repeal to the contrary notwithstanding.

And be it further enacted, by the authority aforesaid, that all letters patents hereafter to be granted of any offices or lands whatsoever, shall contain in the same letters patents, a clause requiring and compelling the said patentees to cause the said letters patents to be enrolled in the chancery of Ireland, within a time therein to be limited; and all letters patents wherein such clause shall be omitted, are hereby declared to be utterly void and of none effect. Provided always, that your sacred majesty at any time before the 1st day of November next, by letters patents under the broad seal of England, if residing there, or by letters patents under the great seal of Ireland, during your majesties' abode here, shall grant your gracious pardon or pardons to any one or more of the persons herein before mentioned or intended to be attainted, who shall return to their duty and loyalty; that then and in such case, such person and persons so pardoned, shall be and is hereby excepted out of this present act, as if they had never been therein named, or thereby intended to be attainted, and shall be and are hereby acquitted and discharged from all attainders, penalties, and forfeitures created or inflicted by this act or the said act of repeal, excepting such share of proportion of their real personal estate, as your majesty shall think fit to except or reserve from them, any thing in this present act, or in the said act of repeal, contained to the contrary notwithstanding. Provided always, that every such pardon and pardons be pursuant to a warrant under your majestie's privy signet and sign manual, and that no one letters patents of pardon shall contain above one person, and that all and every such letters patents of pardon and pardons, shall be enrolled in the Rolls Office of your majestie's High Court of Chancery in this kingdom, at or before the last day of the said month of November; or, in default thereof, to be absolutely void and of none effect, any thing herein contained

contained to the contrary notwithstanding. Provided likewise, that if any person or persons so pardoned shall at any time hereafter the date of the said pardon, join with, or aid or assist any of your majesties enemies, or with any rebels in any of your majesties dominions, and be thereof convicted or attainted by any due course of law, that then and in such case they shall forfeit all the benefit and advantage of such pardon, and shall be again subject and liable to all the penalties and forfeitures inflicted on them and every of them, by this or the said act of repeal, as if such pardon or pardons had never been granted. Provided always, that nothing in this act contained shall extend, or be construed to extend to or vest in your majesty any lands, tenements or hereditaments, or other interest of any ancient proprietor, who by the said act of repeal is to be restored to his ancient estate, but that all such person and persons, and all their right, title and interest, are and shall be saved and preserved according to the true intent and meaning of the said act, any thing in these presents to the contrary notwithstanding.

(Copia vera.)

RICHARD DARLING,
Cleric. in Offic. Nri. Rot.

No. XLVII.

An Act for Repealing the Acts of Settlement and Explanation, Resolution of Doubts, and all Grants, Patents and Certificates pursuant to them, or any of them. (P. 189.)

WHEREAS the Roman Catholick subjects of this kingdom have for several years, to the apparent hazard of their lives and estates under the royal authority, defended this kingdom, until at last they were overpowered by the usurper Oliver Cromwell; in which quarrel many of them lost their lives, and divers of them (rather than take any conditions from the said usurper) did transport themselves into foreign parts, where they faithfully served under his late majesty, and his present majesty, until his late majesty was restored to the crown. And whereas the said usurper hath seized and sequestered all the lands, tenements, and hereditaments of the said Roman Catholicks within this kingdom, upon the account of their religion and loyalty, and disposed of the

same among his officers and foldiers, and others his adherents; and though his majesties faid Roman Catholicks subjects, not only upon the account of the peace made by his late majesty in the year 1648, but also for their eminent loyalty and firm adherence to the royal cause, might have justly expected to partake of his late majesties favour and bounty upon his happy restauration, which was then extended even to many notorious rebels in other his countries and dominions, which would make amends for the oppressions and injustice they lay under for many years in the time of the faid usurper; yet such were the contrivances set on foot to destroy his majesty and Catholick subjects of this realm, that two acts of parliament passed here, the one entituled, “ An act for the better execution of his majestie’s gracious declaration
“ for the settlement of his kingdom of Ireland, and satisfaction of the severall
“ interests of adventurers, foldiers, and other his subjects there.” The other act entituled, “ An act for explaining of some doubts arising upon an act entituled, an act for the better execution of his majesties gracious declaration
“ for the settlement of his kingdom of Ireland, and satisfaction of the severall
“ interests of adventurers, foldiers, and other his subjects there; and for
“ making some alterations of, and additions unto the faid act for the more
“ speedy and effectual settlement of the kingdom, by which many of the faid
“ Catholick subjects were ousted of their ancient inheritances, without being
“ so much as heard, and the same were distributed among Cromwel’s soldiers,
“ and others, who in justice could not have the least pretension to the same,
“ contrary to the faid peace made in the year 1648, and contrary to justice
“ and natural equity.” And whereas it is now high time to put an end to the unspeakable sufferings of the faid Roman Catholicks, natives of this realm, (who have eminently manifested their loyalty to his majesty against the usurper the Prince of Orange) and to remove the unparallel’d grievances brought upon them under colour of the faid two statutes, which cannot be otherwise redressed, than by repealing the faid acts, and restoring the former proprietors to their ancient right, the compassing whereof is much facilitated by his majesties royal condescension to apply towards the satisfaction and reprisals of honest purchasers under the faid acts, a great part of the lands and tenements forfeited to him by the late rebellion and treason committed by eslated persons within this kingdom, who contrary to their duty and allegiance joined with the Prince of Orange. Be it therefore enacted by your most excellent majesty, with the consent of the lords spiritual and temporal, and the commons

commons in this present parliament assembled, and by the authority aforesaid; and it is accordingly enacted by authority of the same, That the said two several acts herein before mentioned, commonly called the acts of settlement and explanation, and the acts of state, or act of council, commonly call'd, the resolution of doubts by the lord lieutenant and council upon the acts of settlement and explanation thereof, and all and every clause, proviso, article and sentence in them, and every of them contained, and all and every grant, patent and certificate passed by vertue of, or under colour or pretence of the said acts and resolutions, or any or either of them (except what is herein after preserved, or mentioned to be preserved, be and are hereby absolutely repealed, annulled and made void to all intents, constructions and purposes whatsoever, as if the same had never been made or passed, notwithstanding any mis-recital of the title to them or either of them, or of the exact time when the said acts, or either of them, were made or passed.

And be it further enacted, That all manner of persons who were any way entituled to any lands, tenements or hereditaments, or whose ancestors were any way seized, possessed of, or entituled to any lands, tenements or hereditaments, in use, possession, reversion or remainder in this kingdom of Ireland, on the 22d day of October 1641, their heirs or assigns, and every person lawfully claiming by, from, or under them and his and their feoffees and trustees, to and for their use or uses, or in trust for them or any of them, and who were barred, excluded, hindered or prejudiced by the said acts, resolutions, grants, patents and certificates, shall and may have and take such and the like remedy by action, or otherwise, for revesting or recovering the same, as they, or any, or either of them now might, could, or ought to have had or taken, in case the said acts, resolutions, or any grant, patent, or certificate had never been made or passed, any clause, proviso, article, sentence, or restriction in the said acts, resolutions, grants, patents or certificates, and any limitation of time, descent, cast, common recovery, judgment or non-claim upon any fine or fines, or upon any other matter or thing where an entry or claim could or would have aided him or them, or any of his or their ancestors, feoffees and trustees, in any wise notwithstanding. And be it further enacted by the authority aforesaid, that all attainders and outlawries for treason, or any other offence, and also all treasons and other offences whatsoever upon account or pretence of the rebellion mentioned or expressed to have begun or arisen in this kingdom on the 23d day of October, 1641, and
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also all penalties, pains, forfeitures, bars and disabilities accrewed, or supposed to be accrewed thereby, or by any means or ways touching or relating thereto, or any way upon account or pretence thereof, be and are hereby made void, released and discharged to all intents and purposes whatsoever. And be it further enacted by the authority aforesaid, that every officer and officers, who have the custody or keeping of the said attainders or outlawries, or of any of them, or of any the process, entries and proceedings thereof, and of all or any the books of crimination and examinations relating thereunto, shall, as soon as conveniently may be, take the same off the files, and from the respective offices where the same do now remain, and cancel the same before or in the presence of all or any the commissioners of restitution herein mentioned; and any officer failing to do the same, shall forfeit his office, and also the sum of 500*l.* sterling, the moiety of the said 500*l.* to be to your majesty, and the other moiety to any person who shall sue for the same by action of debt, bill, plaint or information in any of your majesties courts of common law, in which action no essoin, protection, or wager of law shall be allowed. And to the end that every person and persons, and their heirs, executors, administrators and assigns, who hitherto were barred, hindered or delayed from recovering or enjoying his or their just rights, titles, or possessions by any of the matters aforesaid, may with all convenient speed be put into and be established in his and their rights, titles and possessions.

Be it further enacted by the authority aforesaid, that such three or more persons, as by your majesty, your heirs or successors, by commission under the great seal of Ireland, shall be to that purpose appointed from time to time, shall be commissioners to hear and determine the claims and title by English bill of such person or persons, their heirs, executors, administrators and assigns, who are or ought to be restorable or entituled unto any lands, tenements or hereditaments, by reason of the repealing or making void of the said several acts and resolutions of doubts, grants, letters patents, certificates, or any other matter or thing herein before mentioned to be made void, repealed, released, or discharged. And further, that the said commissioners, or any three, or more of them, shall appoint certain times and places from time to time for their sitting, hearing and determining the rights, titles and claims aforesaid, and shall issue summons to the tenants and possessors of the lands claimed before them, and for witnesses, and upon appearance, or in default of appearance, then to proceed and examin the right and title of the
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faid claimant or claimants upon oath, which oath they have hereby power to administer, and to take affidavit in court or out of court, and thereupon shall have power to adward injunctions for putting into possession such person or persons as shall appear unto them to be restorable unto, or who ought to be put into possession of any lands, tenements or hereditaments by vertue of this act, and all injunctions and prohibitions to be granted to stop or delay the proceedings of the said commissioners shall be void and of none effect. But all sheriffs and coroners, to whom any injunction or injunctions for possessions shall be directed, are hereby required and authorized at their peril to execute the same. And the said commissioners are hereby authorized to punish all neglects and contempts of sheriffs, officers, or any other person or persons. And forasmuch as by reason of the several oppressions, distractions and confusions herein before mentioned, and of the length of time since the ancient proprietors have been dispossessed, as aforesaid, the deeds, evidences, and writings of the persons restorable by this act, may be either lost or mislaid, so that the same may not speedily, or perhaps not at all be had, in order to make out his or their titles before the commissioners aforesaid. Be it therefore enacted, that the judgment, decree, or sentence of the said commissioners, or of any of them, shall not be final or definitive; but the person or persons, and his or their heirs, executors, administrators and assigns, who is or shall be restorable by virtue of this act, shall and may at his own will and pleasure, use and have his action and remedy in any of his majesties courts of law or equity for recovery of his and their rights, titles and possessions, without resorting to the said commissioners; or if he be not able to make out his title before them. Provided always, and be it hereby enacted and declared by the authority aforesaid, that this act or any thing herein contained, shall not extend, nor be deemed or construed to extend, to annul or make void any release, confirmation, conveyance, fine, recovery, or agreement, made, done, suffered or perfected by any person or persons, or their ancestor or ancestors, who otherwise would have been restorable by virtue of this act; but that such release, confirmation, conveyance, fine, recovery or agreement, shall be of such like force and effect as they would have been, if this act had never been made. And be it further enacted by the authority aforesaid, that where any person or persons, who have been transplanted into the province of Connaught, or county of Clare, or his or their heirs or assigns, has sold or conveyed away the lands or tenements there set out, unto him in lieu of his ancient estate; and

and he or his heirs shall notwithstanding such sale of his transplanted interest be restored to his ancient estate, or hath released his right thereto, the said transplanted interest be likewise restored to the person or persons who was or were intituled thereto the 22d day of October, 1641, or to his or their heirs or assigns, that then the ancient estate which shall be so enjoyed by, or restored to the person or persons who sold the said transplanted interest, or to his or their heirs, or to any one claiming by or under him, or his ancestors, or to whom he or they released the same. And likewise such other estate as the said transplanted person hath or had, or which came from him by descent in fee to his heir or heirs, shall be, and is hereby made lyable unto, and charged with the lawful yearly interest of the purchase money, which was paid to the said old proprietor for the said transplanted interest by the person or persons who bought the same, the said yearly interest to be paid to your majesty, your heirs and successors after the expiration of twenty-one days next after the feast of Philip and Jacob, and All Saints, yearly, by even and equal portions every year, until the original purchase-money be paid unto your majesty, your heirs and successors in one entire payment; and the said purchaser of the said transplanted estate to be reprized in such manner as herein after to that purpose is expressed, and the said purchase-money to be part of the stock of reprizals. And whereas by the restitution of the persons hereby intended to be restored to their said ancient estates and proprieties, which belonged to them, or to their ancestors, or those under whom they claim on the 22d day of October, 1641, divers persons who were strangers to the several persons to whom some of the said lands, tenements and hereditaments were distributed, came into the possession of the said lands, tenements and hereditaments by or under purchases or conveyances after the said act of settlement past, or before the first day of November last for good and valuable consideration, and not in consideration of blood, affinity, or marriage, by or from the person or persons, to whom the same have been granted or distributed, pursuant unto, or under colour of the said several acts of parliament, and resolution of doubts, or of some or one of them, and whereof certificate or patent hath been passed since the said first act of settlement: And likewise such person and persons, whose ancestors, or themselves, or those under whom they claim, purchased the estates set forth to transplanted persons in the province of Connaught and county of Clare, must be removed and displaced from their said possessions and pretended estates, and leave the same to the just owners and proprietors

proprieters thereof, who are to be restored thereto by vertue of this act; the said persons so to be removed, are hereby intended to be reprized for such their purchases in manner as herein afterwards is expressed. And whereas an horrid and unnatural rebellion was lately raised, and still is continued in this kingdom, and in other your majesties dominions, by great numbers of your majesty's subjects, and more especially by divers of the persons and their heirs, who had and enjoyed a great part of the lands and tenements which formerly belonged to your majesty, and your royal fathers and brothers catholick subjects, and were given out or distributed by the late usurped powers, as a reward for their former rebellion and treason herein first mentioned, which said rebels not being content therewith, but again endeavouring by the like rebellion and treason to draw in foreign forces, and to continue a succession of usurpation against your majesty, and over your most loyal catholick subjects of this kingdom, in hopes thereby to gain the rest of the lands, as they had obtained a great part of it before, and totally to deprive your royal majesty, and your heirs and successors thereof, and of the crown and dignity, divers of the said rebels went into England, Scotland, Wales, Holland, and the Isles of Man, and other places beyond the seas, to invite and procure your most unnatural enemy the Prince of Orange, and your rebellious subjects there, to send over forces into this kingdom, while the rest of the said rebels in great multitudes arrayed themselves in a rebellious number, and seized several of your majesties forts, garrisons and magazines here for the Prince of Orange, and the said confederate rebels, whereby this your majesties kingdom was in great danger to be lost; but it pleased Almighty God, by the courage and conduct of his Grace Richard Duke of Tyrconnel, your majesties deputy in this kingdom, with the dutiful assistance of all your majesties most loyal catholick subjects here, unanimously joining with the said deputy to preserve the same for your majesty, and to break and defeat the measures and machinations of a great part of the said rebels and traytors. And forasmuch as for the treasons and rebellions aforesaid, the said rebels and traytors have justly forfeited not only their estates, lands and livings, but their lives also; Be it therefore further enacted by your most excellent majesty, by the advice and consent aforesaid, that all and every the mannors, lands, tenements and hereditaments, use, trust, possession, reversion and remainder, power of redemption, and all and every estate and interest whatsoever in law or equity within this kingdom, which on the first

day of August, 1688, or at any time since belonged or appertained to any person or persons whatsoever, who on the said first day of August, 1688, or at any time since was in rebellion or in arms against your most sacred majesty, either in this kingdom, or in the kingdom of England or Scotland, or who corresponded or kept intelligence with, or went contrary to their allegiance to dwell or stay among the said rebels, or any of them, or who was or were any way aiding, abetting or assisting to them or any of them, be and are hereby forfeited unto, and vested in your majesty, and shall be deemed and adjudged to have been forfeited unto, and vested in your majesty, as from the first day of August, 1688, without any office or inquisition thereof found, or to be found, freed and absolutely discharged of, and from all estates taylor, and of all remainders and reversions, to the intent and purpose that the same may be settled, disposed and granted, and confirmed in such manner as hereafter is expressed, (that is to say) that every reprimable person and persons, his heirs, executors and administrators, who shall be removed from any of the lands, tenements and hereditaments, which are hereby to be restored to the ancient proprietor thereof, as herein before is expressed, shall be reprimed, and have other lands, tenements and hereditaments of equal value, worth and purchase, set out and granted unto him out of the said forfeited lands, hereby vested in your majesty for such estate or estates, as the lands from which he or they shall be so removed, were held by him at the passing of this act; and for the more speedy and effectual granting of the said reprimals, be it further enacted, that if it shall be thought fit or necessary, there shall issue commissions under the great seal of this kingdom, to such commissioners as shall be named by the lord chancellor and lord keeper of the great seal of Ireland, within every of the cities, towns, and counties of this kingdom, to enquire and ascertain what lands, tenements and hereditaments any of the rebels aforesaid were seized or possessed of, or entituled unto on the said first day of August, 1688, or at any time since, and the true and real yearly value thereof, and to make return thereof into his Majesties High Court of Chancery with all convenient speed. And be it further enacted by the authority aforesaid, that such three or more persons as your majesty, your heirs and successors, by commission under the great seal of Ireland, shall from time to time to this purpose appoint, shall be commissioners for setting forth, allotting and distributing the said reprimals; which said commissioners, or any three or more of them are hereby authorized and empowered to receive the petitions and claims of such person or persons who

who shall demand such reprizals, in which said petition and claim is to be contained the quantity, quality, and the true yearly value of the lands, tenements and hereditaments, from which such petitioner or claimant was removed, and the estate and title he had therein, and the quit-rents thereout payable, and the said commissioners, or any three or more of them to examine the truth thereof by witnesses upon oath, and such other evidences as shall be produced unto them; and upon due examination thereof, if they find that such petitioner or claimant, or those, under whom he claimed was a purchaser, by purchase made after passing the first act of settlement, and for good and valuable consideration, before the first of November last, and not for or in consideration of blood, affinity or marriage, from, by, or under the person or persons, to whom the estate so claimed was granted or distributed, and whereof a certificate or patent was passed since the said first act, as aforesaid, or that the said petitioner or claimant, or those under whom he claims, was or is a purchaser for valuable consideration of any transplanted interest in the province of Connaught, or county of Clare, then to set forth unto such petitioner or claimant, other lands, tenements or hereditaments of equal value, worth and purchase, and for the like estate as the said petitioner or claimant had in the lands, tenements or hereditaments from which he was, or shall be removed as aforesaid. And the said commissioners, or any three or more of them, are hereby required and authorized to grant their certificates under their hands and seals to the said petitioner or claimant, expressing the denominations, quantity and quality, and number of acres of the said lands so allotted, and the barony and county wherein the same do lie, and the estate thereof to be granted, and the rent thereout to be reserved; upon producing of which certificate, the lord chancellor or lord keeper of the great seal of Ireland is hereby authorized and impowred, without any further warrant, to cause effectual letters patents to be made and passed to the said claimant of the lands so certified, to be allotted unto him, and under the rents, and for such estate and estates as in the said certificate shall be to that purpose expressed: Provided always and be it further enacted by the authority aforesaid, that such person or persons as shall claim or demand any reprizals for any transplanted estate or interest, shall before he or they have any reprizal or reprizals for the same allotted or set out to them, make full and true discovery and proof of the whole original purchase-money, which was paid for the said transplanted estate by the first purchaser thereof to the person or persons, or his heirs, to whom the said estate

was originally set forth or allotted by way of transplantation; and the said commissioners, upon due examination and proof of the said purchase-money, are to certify the quality thereof, and the estate of the ancient proprietor, which is to stand charged with the yearly interest thereof into your majesties court of exchequer, to the end that the same may be levied as it shall grow due from time to time, until the original purchase-money be paid in one entire payment to your majesty, your heirs and successors, the said principal and interest to be paid towards reprizals, as aforesaid. And be it further enacted, that in case at any time hereafter it shall be discovered, that any person or persons so claiming reprizals for any such transplanted interest, hath not discovered the full purchase-money first paid for the said transplanted estate, but hath concealed any part thereof, then and in such case the person or persons who hath so concealed any part of the said purchase-money, shall forfeit double the sum concealed or not discovered, the one moiety of such forfeiture shall be to your majesty, your heirs and successors, and the other moiety to such person or persons as shall sue for the same by bill, plaint or information, wherein no essoin, protection, or wager of law shall be allowed. Provided also, and be it further enacted, that neither this act, nor any thing therein contained, shall be deemed or construed to vest in your majesty, your heirs or successors, any the lands, tenements, hereditaments or chattels, real right, title, service, chiefry, use, trust, condition, fee-rent, charge, mortgage, right of redemption of mortgage, recognizance, judgment, extent, right of action, right of entry, statute, or any other estate of what nature or kind soever, which are hereby restorable, according to the true intent and meaning of this act to any ancient proprietor, or his heirs or assigns, and the which have been vested or mentioned, or supposed to have been vested in your majesties said royal father and brother, or either of them, by virtue of both, or either of the said acts of settlement, and explanatory acts, or resolution of doubts, or by virtue of any of the said attainders or outlawries, which are herein before repealed and made void, or mentioned to be repealed or made void; but that all and every person and persons, whose titles, or whose ancestors titles were hitherto thereby barred, forfeited, or any way prejudiced or interrupted, shall and may be restored thereunto, according to their ancient rights and title, as herein before to that purpose is expressed or intended. Provided always, and be it further enacted by the authority aforesaid, that nothing in this present act contained shall any way extend or be construed to
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extend to forfeit to, or vest in your majesty, your heirs or successors, any remainder or remainders, reversion or reversions, for valuable consideration, limited or settled by any settlement or conveyance made for such valuable consideration, either of marriage, or marriage-portion, or other valuable consideration whatsoever upon any estate, for life or lives, to any person or persons, who have not, nor shall not aid, abett or assist any person or persons in the usurpation or rebellion aforesaid, such remainder or remainders, reversion or reversions as are limited by any conveyance, wherein there is no power for revoking or altering all or any use or uses therein limited: And also such remainder and remainders, reversion and reversions as are limited upon any settlement or conveyance of any lands, tenements and hereditaments, commonly called plantation lands, and all lands, tenements and hereditaments held or enjoyed under such grants from the crown, or grant upon the commission or commissions of grace for remedy of defective titles, either in the reign of King James I. or King Charles I. in which several grants respectively, there are proviso's or covenants for raising and keeping any number of men and arms for the king's majesty against rebels or enemies, or for raising of men for his majesty's service for expedition of war always excepted and foreprized; all which remainders and reversions, limited by such conveyance, wherein there is a power of revocation for so much of the lands, uses and estates therein limited, as the said power doth or shall extend unto, and all such remainders as are derived or limited of plantation lands, or other lands held as aforesaid under such grants made by the crown, shall by authority of this present parliament be deemed, construed, and adjudged void, debarred and discharged to all intents and purposes whatsoever against his majesty, his heirs and successors, and his or their grantees or assigns; and the said lands, tenements and hereditaments belonging to such rebels as aforesaid, shall be vested in his majesty, his heirs and successors, freed and discharged of the said remainder and remainders, and every of them; and to the end the reversions and remainders saved and preserved by this act may appear with all convenient speed, Be it enacted by the authority aforesaid, that the respective persons entitled to such remainders, do within sixty days next after the first sitting of the commissioners for executing this act, exhibit their claims before the said commissioners, and make out their title to such remainder or remainders, so as to procure their adjudication, and certificate for the same, or the adjudication and certificate of some three or more of them. And further, that all remainders, for which such adjudication and certificate shall not be procured

cured at, or before one hundred and twenty days after the first sitting of the said commissioners, shall be void, and be for ever barred and excluded, any thing in this act or other matter to the contrary in any wise notwithstanding; nor shall this act extend to vest in your majesty, or bar any remainders limited to Dudley Bagnel, Esq. upon the particular estate of Nicholas Bagnell of Newry, Esq. in Newry, the lordship and lands of Mourne, and all other manors and lands now, or lately belonging to the said Nicholas Bagnell in the kingdom of Ireland; provided the same be such a remainder as was not, or is not in the power of the said Nicholas Bagnell to bar. And forasmuch as we, your majesties most loyal and dutiful subjects, always have been, and for ever intend to be more studious and industrious to secure and advance your majesties revenue, than to lessen or diminish the same: And whereas the quit-rents or king's rents reserved or now payable unto your majesty, your heirs and successors, would determine by repealing the said acts, if some provision were not made to continue the same; Be it enacted by the authority aforesaid, that all lands and tenements, which by the said acts of settlement and explanation, were charged with, or made liable to quit-rents, shall be and hereby are charged with, and made liable to the same, or the like quit-rents, to be paid to your majesty, your heirs and successors, as in and by the said acts of settlement and explanation were appointed and directed, saving and reserving and excepting the quit-rents due and payable, and due out of the Earl of Antrim's estate, which were granted to the late Earl of St. Albans, and saving and excepting all such lands and tenements, whereof the quit-rents have been by letters patents under the broad seal of England or Ireland, granted or released to the ancient proprietor or proprietors thereof, or to some person or persons in trust for them, or reduced into the hands of the ancient or new proprietor, since the acts of settlement and explanation, by reason of barren or unprofitable ground, whether such reducement was by patent under the broad seal, or certificate or other order of commissioners, having power to reduce the same; which lands and tenements are for the future to be charged only with such quit-rents or crown-rents as are by such letters patents, certificates, and orders respectively reserved and specified. And further, that all lands which immediately before the passing of this present act were not liable to any quit-rents, and shall be by or pursuant to the present act restored to the ancient proprietor thereof; and likewise all lands within this kingdom, which being vested in your majesty by this present act, or by or upon account of the present
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sent rebellion, or of any treason committed by any person since the first day of August last, shall be distributed or given out for reprizals by the commissioners for executing this act, or otherwise granted by your majesty, your heirs and successors, to any person or persons, bodies politique or corporate, shall be and are hereby charged with and made liable to the same, or the like quit-rents to be paid to your majesty, your heirs and successors, as in and by the said acts of settlement and explanation, were appointed or directed to be paid out of any other lands in the respective provinces where such lands do respectively lie; so that the rent formerly reserved to the crown, or such lands, exceed not the rent hereby reserved; but where the rents formerly reserved do exceed the rent hereby to be reserved, the said former rents only shall be paid. And be it further enacted by the authority aforesaid, that all arrears of the said quit-rents reserved by the said former acts, which were due to your majesty on the first day of May, 1689, shall be answered and duly paid to your majesty, and that your majesty shall and may recover and levy the same in such manner, and by all such ways and means as you might have done, if this present act had never been made, any thing in this act contained to the contrary notwithstanding. And in regard the mesne profits of the said ancient estates, which are hereby restorable, are to be discharged, as hereafter expressed, be it further enacted by the authority aforesaid, that all interests of money for any debt or debts contracted before the 23d of October, 1641, and wherewith the estate of any person restorable by this act may be chargeable, be and are hereby discharged and released for such time as the person or persons, who should have paid the said debts, were barred and kept out of their estates by the said acts of rebellion; but the original debts are not to be discharged by this act. And be it further enacted by the authority aforesaid, that no persons restorable by vertue of this act shall sue for, or recover any mesne profits of the estate so restorable, but only for such mesne profits as shall accrew or grow due after his demanding possession, or commencing since for the lands so restorable after the passing of this act. And be it further enacted by the authority aforesaid, that the estate or estates to be set out or allotted to any person or persons by way of fore-prizals by vertue of this act, or any other estate which he or his heirs shall have, shall be lyable and subject to all such judgments, statutes and recognizances for payment of money, rent-charges, annuities, mortgages, dowers, and all other estates, uses, trusts, limitations, settlements, charges and incumbrances of the persons so reprized or removed, in such manner as the estate
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from which he shall be so removed, would be lyable in case he never were removed from the same; but in case any person hereby removable to make room for an old proprietor, be a forfeiting person, or is not intituled to have reprizal, then in such case it is hereby declared and enacted, that all and every person and persons, who before the 7th day of May, 1689, had any such incumbrances as before is expressed, or any judgment at any time before the 22d day of May, 1689, on the said estate hereby restorable to the old proprietor, shall and may have reprizals for the same out of the common stock of reprizals, at the rate of ten years purchase: Provided always, that such incumbrances, or the reprizals to be had or allotted for the same, shall not exceed the value of the estate which was lyable thereunto, and which is restorable to the old proprietor thereof, or to his heirs or assigns. And be it further hereby enacted, that where any old proprietor, or his heirs, who had or held any new estate by transplantation, or otherwise, by or under the said acts hereby repealed, or any of them, shall by virtue of this present act be removed from the same, that then, and in such case, the ancient estate of such old proprietor, or his heirs, shall be restored. And likewise all such other estate which such ancient proprietor, or his heirs by descent in fee under him, shall have, shall be, and is hereby made assets for the ancestors debts, and lyable to make satisfaction for all such judgments, recognizances, and statutes for payment of money, and also for all rent-charge, annuities, mortgages, and all other estates, uses, trusts, limitations and settlements, charges and incumbrances of the said old proprietor and his heirs, in such manner as the said new estate from which he or they shall be so removed would have been lyable in case he or they were never removed from the same, except the leases made by such persons who are to be restored to the lands they or any of them were seized or possessed of. And furthermore, for the prevention of the great inconveniencies, which may happen by the sudden removal of the lessees, farmers or under-tenants, from the lands, tenements or hereditaments whereof they are now in actual possession, and which are hereby to be restored to the ancient proprietors thereof, their heirs or assigns; Be it further enacted by the authority aforesaid, that all such leases in writing, of the lands, tenements and hereditaments hereby restorable, and which were made before the first day of May, 1688, meerly in consideration of rents, duties, or other valuable yearly reservations, and not in consideration of any fine or incumbrance, or of blood or affinity, and by virtue whereof the lands, tenements and hereditaments
thereby

thereby demised, are at this time enjoyed and held by the present terr-tenants and occupiers thereof, be, and are hereby made good and confirmed by the said terr-tenants and occupiers, for and during so much of the term or time in such lease or leases limited and expressed, as shall not exceed the number of twenty-one years, or three lives yet to come and unexpired, and for all the lands, tenements and hereditaments thereby demised, except that messuage or tenement which in the year, 1641, was the mansion house of the old proprietor, or his assigns; and except also the demesne thereunto belonging (that is to say) the town and lands whereon the said mansion-house then stood; and the said tenant and lessee, and his executors, administrators and assigns for the lands, tenements and hereditaments so by them to be held and detained by virtue of such lease or leases, are to pay the yearly rent and duties thereout reserved, or their just proportion thereof, to the said the ancient proprietor hereby restorable, and to his heirs and assigns, and to give him or them copies or counterparts of the said lease or leases, and their own obligations for performance thereof, or otherwise to accept of a new lease for the lands, tenements and hereditaments so to be enjoyed, and under the like rent proportionably, and for such time or term as shall be then unexpired of the said former demise; And whereas in some cases the lease or leases which such lessee or lessees had, might have been very beneficial leases for a great term, and originally made in consideration of fines by them given to their lessors for the same, or in respect of improvements; and as it is unequitable on the one side, that such lessees should lose their fines, bargains and improvements, without satisfaction for the same, so it is on the other side unreasonable, that the old proprietor, who hath been hitherto kept out of his estate, and is hereby barred from the mesne profits thereof, should be obliged to bear the loss and damage of leases so made, at an under rate and low value: Be it therefore enacted by the authority aforesaid, that the said lessor, his heirs or assigns who is to be reprized for the said lands, shall out of the lands which shall be to him granted by way of reprizal, make and perfect unto the said lessee, his executors, administrators or assigns, a lease of lands of the like value; and for such term or time of the said former lease as will be unexpired at the removal of the said lessor, and that the said new lease shall be under the like rents, reservations, covenants and conditions, as in the said former lease were expressed; but in case the said lessor be a forfeiting person, and not reprizable by this act, then the said lessee and lessees shall be reprized for their said leases out of the common stock of reprizals, ac-

according to the methods herein before set forth; but such leases in possession, and not now in any forfeiting person, as were made by your majesty of the lands held by your majesty under the title of the said acts, are to stand good and effectual at the election of the lessees, their executors, administrators or assigns, and the rent and reservation thereof, to devolve and come to the old proprietors thereof, and particularly one lease bearing date the first day of April, 1675, made by your majesty unto John Keating, Esq. for the term of twenty-six years, to commence from the first day of May then next ensuing the date thereof, of the town and lands of Blackrath in the county of Kildare, under the yearly rent of 81*l.* 15*s.* sterling, shall in like manner stand good and effectual, notwithstanding any sale made by your majesty unto him the said John, of the inheritance of the said lands, or any merger of the said lease, but the reversion and rent of the said lands so leased, is hereby to come to the old proprietor thereof, his heirs and assigns. Provided always, and be it enacted by the authority aforesaid, that all and every person and persons who is, or are at the time of passing this act, seized or possessed of any houses, messuages, manors, lands, tenements and hereditaments, within this kingdom of Ireland, and who are by virtue of this act, or any clause therein contained, to be removed from the seizin or possession thereof, or of any part thereof, shall have such reasonable and competent time given and allowed him or them for the removal of themselves, their families and stocks, as the commissioners for execution of this act, or any three of them, shall think fit and appoint, not exceeding one year from the first day of May, 1689, and the same to be under such competent rent, as the said commissioners shall think fit to be paid to the person or persons, his and their heirs, executors and administrators, who is, or are by this act restorable to the said houses, messuages, manors, lands, tenements and hereditaments, any thing in this act, or any other matter or thing to the contrary thereof in any wise notwithstanding. Provided also, and be it further enacted by the authority aforesaid, that all and every person and persons who sow any corn or roots in any lands, tenements and hereditaments, whereof they or any of them, are now at the time of passing of this act seized or possessed, shall have, perceive, and take the full benefit and advantage thereof, and have free liberty of ingress, egress and regress, for the making up and preserving, and of carrying away and disposing of the said corn and roots, or any part thereof, as he or they shall think fit, he or they paying or allowing for the same to such person or persons as shall be restored
to

to the said lands so sowed with corn and roots, according to the custom of the country. And whereas there are divers poor and distressed widows and relicts, whose deceased husbands, had they been alive, would have been restorable by this act, and been thereby enabled to leave some maintenance to their said widows and relicts; but in regard their said deceased husbands, by means of the several acts and other matters herein before expressed and repealed, were kept from any seizin or possession of the estates, which should of right be enjoyed by them, and for want of such seizin, the said widows and relicts are not by the common law of this land entituled to any dower, and therefore are in danger of perishing: Be it therefore enacted by the authority aforesaid, that the want of such seizin shall be no bar or prejudice to the widows and relicts aforesaid, but that every widow and relict, whose husband, if living, would or might be restorable by this act, shall and may have and recover such dower or proportion of her said husbands estate as she might recover by the common law, if her said husband had a seizin in deed or in law thereof, and the commissioners for restitution herein appointed, or to be appointed, are hereby required to cause the same to be set forth and allotted; or the said widows and relicts may, if they think fit, use and have their remedy at common law; and if *ne unque seizie qui dower*, or any such plea, shall be pleaded against any of them, it shall be sufficient for every such widow and relict to give in evidence, that the estate which her husband should have had, was kept out of him by any of the acts or matters herein repealed, was such whereof she might recover dower, in case he were actually seized, according to the estate, to him limited; and upon proving thereof, every such widow and relict shall recover, as well as if her said husband had been actually seized of the said estate; but such widows and relicts as had or enjoyed any jointure to them limited, shall only have the benefit of such joyntures. Provided always and be it further enacted by the authority aforesaid, that all and every the honors, mannors, lands, tenements, remainder and remainders whereof Robert Lord Baron of Kingstowne, now is, or at any time heretofore has been lawfully and rightfully seized or possessed of in his demesne, as of fee or fee tayl, to or of any estate of inheritance in right of his ancestors (that is to say) of John Lord Baron of Kingstowne, or the Lady Katharine his wife, situate, lying and being in the counties of Cork and Roscomon, or elsewhere, within this kingdom, and which hath been settled upon, or limited unto the said John Lord Baron of Kingstowne by his father or grandfather, Sir John and Sir Robert King, or by any of them,

them, or to the said John Lord Baron of Kingstowne, and the Lady Katharine his wife, or to either of them, by Sir W. Fenton, Kt. and Dame Margaret his wife, or either of them, and whereof the said Sir John or Sir Robert, or the said Sir W. Fenton were seized or possessed of respectively on the 22d of October, 1641, with all the rights, titles or interests, which they, or any of them respectively had thereunto, be and are hereby vested and settled in his majesty and his heirs, to be disposed of as his majesty shall think fit, subject nevertheless to such legal and equitable incumbrance, as the same would have been liable unto, in case this act had never passed; any thing therein contained to the contrary notwithstanding. Provided always and be it further enacted by the authority aforesaid, that the capital messuage, town and lands of Chappel-lizard, alias Ized, with all other the appurtenances thereunto belonging, and every part and parcel now at the passing of this act, occupied, possessed and enjoyed as part or parcel thereof, and the capital messuage of the Phenix, and all the houses, messuages, lands, tenements and hereditaments within the kings park adjoining unto, or near this city of Dublin, in as large, free and ample manner as the same is now at the passing of this act possessed and enjoyed by his majesty, or any person claiming by, from or under his majesty, shall be and are hereby vested in the kings majesty, his heirs and successors; and shall be held and enjoyed by his majesty, his heirs and successors; any thing in this present act, or any other matter or thing whatsoever to the contrary in any wise notwithstanding. And in case any ancient proprietor or proprietors thereof, hath, or have not been already satisfied for his or their interest therein, that then such ancient proprietor or proprietors shall be reprized according to his title and interest in the said lands out of the forfeited lands, according to the rules of this act: Provided always and be it enacted by the authority aforesaid, that the lord chief justice of his majesty's court of Kings-Bench, the lord chief baron of his majesties court of exchequer, and the master of the rolls, or any other of his majesties officers of this kingdom for the time being shall and may have and receive such port-corn of the several rectories which have been formerly paid and received; any thing in this present act, or any other matter or thing whatsoever to the contrary in any wise notwithstanding. And whereas in pursuance of an agreement made and concluded between Richard late Earl of Clanrickard and Charles Lord Viscount Muskery, and Margaret Vicountess Muskery his wife, heir general of Ulick late Lord Marquess of Clanrickard, several provisions have been made and enacted in the said acts of settlement and explanation for settling the estate of the family of
Clanrickard;

Clanrickard; since which time several deeds, conveyances, settlements, provisions, writings, decree, award and agreements of, and concerning the honour, mannor, lands, tenements and hereditaments belonging to the said family, or whereof William late Earl of Clanrickard was seized or possessed, were made and perfected by the said William late Earl of Clanrickard, or by his children after his decease, or with their consent, which are not intended to be weakened or avoided by this act; Be it therefore enacted by the authority aforesaid, that the said several deeds, conveyances, settlements, provisions, writings, decrees, awards, agreements, according to the several and respective estates, uses, trusts, remainders, limitations and provisions, therein mentioned, shall be and remain firm, valid in law according to the said award lately made between the family of Clanrickard and the limitations and uses therein set forth: and that the several deeds, conveyances, settlements, provisions, writings, decree and award to the uses and limitations in the said award be of the same force and vertue, and in the same plight and condition to all intents and purposes, as if this present act had never been made against the heir general of Ulick, late Lord Marquess of Clanrickard, Richard late Earl of Clanrickard, and all persons claiming by, from or under them, their ancestors, or any or either of them, any thing in these presents to the contrary notwithstanding; saving the right, title and interest of all purchasers and strangers, their heirs, executors, administrators and assigns. And whereas the right honourable Hellen Countess of Clanrickard having heretofore her dower of the estate of her deceased husband John Fitz Gerald, Esq. set out unto her, in which dower several parcels of lands were comprized, that did belong in October, 1641, to old proprietors restorable by this act; It is hereby enacted, that the said Countess shall be reprimed out of the other two thirds of the said estate late in the seizin of Edward Villiers, Esq. and Katharine his wife, in lands of equal value, worth, and purchase, that shall be forfeited to his majesty for and during the life of the said Countess, to supply what shall be *bona fide* evicted from her by any such old proprietors. And whereas by a particular proviso in the act, commonly entituled, "An act for the better execution of his majesties gracious declaration for the settlement of this kingdom of Ireland, and satisfaction of the several interests of adventurers, soldiers, and other his subjects there:" It is amongst other things enacted, that Theobald late Earl of Carlingford shall have, hold, possess and enjoy, to him and his heirs, all those the lands, mannors, tenements and hereditaments in the county of Louth, whereof the
said

faid Theobald late Earl of Carlingford, upon the first day of August in the year 1661, was possessed or set out, assigned or granted to the said Theobald by way of Custodium, or otherwise, in order to a further settlement thereof to and on the said Theobald Earl of Carlingford, and his heirs, for and in lieu of the estate of Coloony in the county of Sligo; and also, that the said Theobald Earl of Carlingford shall have and enjoy to him and his heirs, the mannors, lands, tenements and hereditaments, whereof Christ Tuaffe of Braganstowne, and Theoph. Tuaffe of Cookstowne, or either of them, or any of their ancestors, or any other person or persons to their use, or in trust for them or any of them, stood seized or possessed upon the 22d of October, 1641. And whereas the said mannors, lands, tenements and hereditaments are by this present act to be restored to the ancient proprietors thereof, or unto their heirs or assigns; And also several other lands granted unto the said Theobald Earl of Carlingford and his heirs, lying and being in the county of Meath, Sligo, and Typperary, whereby Nicholas now Earl of Carlingford will be a great sufferer, if not otherwise provided for by this act: Be it therefore enacted, and it is hereby further enacted by the authority aforesaid, that the commissioners for executing of this act shall forthwith set out in reprizals other mannors, lands, tenements and hereditaments, forfeited unto, and vested in his majesty by vertue of this act, or upon account of any attainder of treason, of equal value, worth and purchase with the mannors, lands, tenements and hereditaments from which the said Nicholas Earl of Carlingford, or his heirs are to be removed or dispossessed of by vertue of this present act, and which were held by the said Nicholas Earl of Carlingford, by vertue of the said acts of settlement and explanation or either of them, or by patent or patents upon the said acts, and all and singular which lands and premises so set out in reprizal, the said Nicholas Earl of Carlingford shall hold to him and his heirs, at and under the same or like tenure, rents and services, as all purchasers are to hold by this act the reprizal set out to them or any of them, and subject to such mortgages, charges and incumbrances, as the lands from whence he or they are to be removed, were and are at the time of the passing of this act; any thing in this present act contained, or any other matter or thing to the contrary thereof, in any wise notwithstanding. Provided always and be it further enacted by the authority aforesaid, that this act or any thing herein contained, shall not be construed or expounded in any courts, either in law or equity, to vest in the kings most excellent majesty, his heirs or successors, or otherwise bar any remainder

mainder or remainders, or any right, title or interest whatsoever, that ought to have descended or come, or which shall or may hereafter descend or come upon or to Francis Lane now wife to Ulick Lord Viscount Gallway, by virtue of any deed, will or other writing, whatsoever, made and executed by George Lord Viscount Lanesborough deceased; and all the right, title and interest whatsoever, in respect of the premises, be saved to the said Ulick Lord Viscount Gallway and Dame Frances his wife, this act, or any thing therein contained to the contrary in any wise notwithstanding. Always excepted such lands, tenements and hereditaments as were at any time with-held or detained from the ancient proprietor or proprietors on account of any title derived or pretended to be derived from or under the said acts of settlement and explanation or either of them, and not under the proprietor or his heirs. And whereas by a particular proviso in the act commonly intituled, "An act for the better execution of his majesties gracious declaration for the settlement of his kingdom of Ireland, and satisfaction of the several interests of adventurers, souldiers, and others his subjects there." It is amongst other things enacted, that the town of Mullingar in the county of West-Meath, with all the houses, castles, lands, tenements and commons thereunto belonging and forfeited to his late majesty Charles the Second of happy memory, should be and were by the said act settled upon the late Earl of Granard and his heirs, by the name of Sir Arthur Forbes, Bart. according to a grant thereof passed to him by letters patents under his said late majesties great seal of Ireland, bearing date the 27th day of July in the thirteenth year of his said late majesties reign: And whereas the said Earl of Granard hath in consideration of a considerable marriage portion, settled the said town of Mullingar, with all and singular the premises, on Arthur now Lord Forbes eldest son of the said Earl of Granard: And whereas the said town of Mullingar, and all other the premises, with their and every of their appurtenances, are by this present act to be restored to the ancient proprietors thereof, or unto their heirs or assigns, whereby the said Arthur Lord Forbes will be a great sufferer, if not otherwise provided for by this act. Be it therefore enacted, and it is hereby further enacted by the authority aforesaid, that the commissioners for execution of this act, shall forthwith set out in reprizal other manors, lands, tenements and hereditaments forfeited unto and vested in his majesty by virtue of this act, or upon account of any attainder of treason of equal value, worth and purchase with the said town of Mullingar, and other
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the said lands, tenements and hereditaments from which the said Arthur Lord Forbes or his heirs, are to be removed or dispossessed by vertue of this present act, or any clause or matter therein contained: All and singular which lands and premises, so set out in reprizals, the said Arthur Lord Forbes shall hold to him and his heirs, at and under the same, or like tenures, rents and services as all purchasers are to hold by this act of the reprizals set out to them, or any of them, any thing in this present, or other matter or thing to the contrary thereof in any wise notwithstanding. And be it further enacted by the authority aforesaid, that whereas Francis Plowden, Esq. is and for several years past has been seized in fee of several houses, back-fides, waft plots, and gardens, lying and being in the city of Dublin, and town of Galloway, by and under the last will and testament of dame Katharine Plowden, relict of Sir Daniel Trefwel, Knight, deceased, he the said Francis Plowden having paid above two thousand pounds sterling in debts and legacies out of the said demised premises pursuant to the said will, that the said commissioners for executing of this act shall forthwith set out and allow in reprizal unto the said Francis Plowden, his heirs and assigns, to his and their use, lands, tenements and hereditaments, of equal value, worth and purchase with the said several houses, waft plots and gardens for which the said Francis Plowden, his heirs or assigns, is or are to be removed, for restoring the ancient proprietor by this act, any thing herein contained to the contrary notwithstanding: Provided always, that John Brown, Esq. his heirs and assigns, shall in trust for his creditors, and for support of his iron-works, which are of publick advantage to your majesty and this kingdom, have, hold and enjoy all and every the furnaces, store-houses, mills, dwelling-houses and gardens, and other improvements, built or made by him, or on his account, in the county of Mayo, for his own, his clerks and workmens' dwelling houses and conveniences to attend the said works; and also all dams built by the said John Brown for support of the said works, with power for repairs, as heretofore usually done, and next the said works, and most contiguous unto them, so much of the lands, which by the rules of this act would be taken away from the said John Brown, or his heirs, and restored to the ancient proprietors, as is or shall be necessary for the gardens, dwelling-houses and grazing for the cattel and horses of the several clerks, workmen and labourers, employed or to be employed by the said John Brown about the said works; and the commissioners for executing of this act are hereby empowered for to ascertain the quantity and rates of the said lands that

that shall be necessary for the said Brown, his clerks, dwellers, workmen and labourers to be employed about the said works respectively, as aforesaid, and to order and appoint such rents to be paid yearly to the ancient proprietors and their heirs, by the said John Brown and his heirs, out of the said lands, as they shall think fit, regard first only being had to the intrinsecal value of the said lands. And whereas Martin Supple, Esq. having been restored as an innocent by the commissioners for execution of the said acts of settlement to the ancient estate of his ancestors in the lands and tenements of Ightermurramore, Ightermurrabegg, Ballintoonduing, Ringlask, Ballinenirnaugh, and other lands in the barony of Imokelly, and county of Cork; after which restitution, suit or contest being commenced or moved by Roger late Earl of Ossery, who pretended a title to the said lands under the late usurped powers; and whereas the said Martin Supple not being able to withstand the power of the said Earl, was necessitated to purchase his peace and quiet, by conveying or exchanging his said ancient estate unto the said earl, and to accept for the same the lands of Drommodimore, Drommadibegg, Parnahelly, Boughallane in the said barony and county, which lands were held by the said Earl, under the titles of the said acts of settlement and explanation, or one of them, and therefore by this present act are restorable to the ancient proprietors thereof: Be it therefore enacted by the authority aforesaid, that all conveyances and assurances made by the said Martin Supple to the said Earl of the said ancient estate, or of any part thereof, be and are hereby annulled and made void to all intents and purposes whatsoever: And that the said Martin Supple be and is hereby restored to the said ancient estate, and shall and may hold and enjoy the same, according to such estate and title as he had therein before the said conveyance and exchange thereof, made subject, and liable to all remainders, uses, trusts, limitations, and all other estates, charges and incumbrances, as the said estate or lands from the said Martin Supple is to be removed, were or ought to have been liable unto, any thing herein to the contrary notwithstanding. Provided always and be it further enacted by the authority aforesaid, that this act, or any thing therein contained, shall not be construed or adjudged to vest in your majesty, or to bar any remainder or remainders limited to Colonel Richard Butler, or to any of his sons, upon the respective particular estates limited to James Duke of Ormond and his brother, in and of the ancient estate, which on the 21st day of October, 1641, did rightfully belong unto James late Duke of Ormond deceased, or the lady Dutchess his wife, and the

same to be subject to all incumbrances whereunto the same ought to be liable, in case this act were never made. Provided always, that the remainder so limited to the said Colonel Richard Butler and his sons, be such as is not, or was not in the power of the said James now Duke of Ormond, and of his said brother, or of either of them to bar. And be it further enacted by the authority aforesaid, and it is hereby declared to be the true intent and meaning of this act, that all lands, tenements and hereditaments, uses, trusts, possession, reversion or remainder, chattel real, and all and every other estate, either in law or equity, of what nature or kind soever within this kingdom, which on the said first day of August, 1688, or at any time since, did belong or appertain to the society, governors and assistants, of the new London, plantation of Ulster in the kingdom of Ireland, or to any other body politick or corporate, derived unto them, or composed or consisting of any the citizens of London, by whatsoever name or names the same, or any of them are called, be and are hereby vested in your majesty, your heirs and successors, as from the first day of August 1688, and to be part of the stock of reprizals herein before mentioned, saving always the right, title, estate and interest of the corporation of the mayor, commons and citizens of London-Derry and Colerain. And whereas several waft plots of ground within several cities, towns and burroughs, or the suburbs thereof within this kingdom, at the publick charges of the several free-holders and inhabitants of the several and respective counties, cities, towns and boroughs, have been purchased from the then proprietors, or reputed proprietors thereof, and great sums of money laid out and expended by them in building of session-houses, goals, houses of correction, and other publick conveniences thereunto belonging, upon the said waft plots of ground, for the publick good and advantage of this kingdom; And whereas the said waft plots of ground, or some of them so purchased and improved upon, may by this present act, to the great prejudice of this commonwealth, be restored unto the old proprietors thereof, if not by some special clause or proviso prevented: Be it therefore enacted by the authority aforesaid, and it is hereby enacted, that all the lands, tenements and hereditaments so purchased, as aforesaid, and whereupon any session houses, goals, houses of correction are built, shall be and are hereby vested in your majesty, your heirs and successors, to the use herein after expressed; and that the several and respective old proprietors of the said waft plots of ground, shall by the commissioners for execution of this act be forthwith reprized for the same out of some of the forfeited lands, vested in your
majesty,

majesty, your heirs and successors by vertue of this act, of equal value, worth and purchase with the said waft plots of ground, before any buildings or improvements made thereupon, to have and to hold the said lands to be set out in reprizals, and them and every of them, their heirs and assigns, at or under the same, or like tenures, rents and services, as all purchasers are to hold by this act, the reprizals set out to them, or any of them, any thing in this present act, or any other matter or thing to the contrary thereof in any wise notwithstanding. Provided always, and it is hereby declared, that such of the waft plots so built upon, as did not formerly belong unto, and were the consecrated ground or site circuit and ambits of any monastery, abby, or other religious house, shall be and remain vested in your majesty, your heirs and successors, to the said publick uses for which the same were so purchased and built upon: And as to all such of the said waft plots so built upon as did formerly belong to, and was the consecrated ground or site, circuit and ambits of any monastery, abby, or other religious house, the same shall be and remain vested in your majesty, your heirs and successors, to be disposed of to such pious or charitable uses, as your majesty, your heirs and successors shall think fit: And whereas some meriting persons, who are to lose considerable estates by this act, might by the foregoing rules be entituled to small or no reprizals, but by their eminent services may in a special manner merit your majesties grace and favour: Be it enacted by the authority aforesaid, that your majesty may in such special cases set forth and grant reprizals to such meriting persons, as by your majesties letters, under your majesties privy signet or sign manual, order the commissioners for executing this act to set forth reprizals for them; and likewise, if your majesty shall so think fit, to appoint and ascertain where and what lands shall be set out to them.

No. XLVIII.

An Act for the Advance and Improvement of Trade, and for Encouragement and Increase of Shipping, and Navigation. (Page 190)

WHEREAS this kingdom of Ireland, for its good situation, commodious harbours, and great quantity of goods, the growth, product, and manufactory thereof, is, and standeth very fit and convenient for trade and commerce with

most nations, kingdoms and plantations; and several laws, statutes and ordinances, having heretofore been made, and enacted from time to time, prohibiting and disabling the king's subjects of this realm, to export, or carry out of this kingdom, unto any other the king's islands, plantations, or colonies, in Asia, Africa, or America, several of the goods, wares, merchandizes, and commodities of this nation; or to import into this kingdom, the goods or merchandizes of the said plantations, colonies and islands, without landing or discharging in England, Wales, or the town of Berwick upon Tweed, under great penalties and forfeitures, not only to the decay of the king's revenue, but also to the very great prejudice and disadvantage of all the inhabitants in this kingdom, as well subjects as strangers; and which hath in a high measure contributed to impoverish this kingdom, and discouraged several merchants, traders, and artificers, to come from abroad, and dwell, and trade here: And whereas, the encrease of shipping, and the encouragement of navigation, under the good providence of God, and the careful protection of his sacred majesty, are the best and fittest means and foundations, whereon the wealth, safety and strength of this island and kingdom, may be built and established. Be it therefore enacted, by the king's most excellent majesty, with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled; and by the authority of the same, that it shall and may be lawful to and for his majesties subjects of this realm of Ireland, and to and for every other person and persons, of what nation soever, residing and inhabiting here, during the time of such residence, freely to trade into, and from all and every his majesties plantations, colonies and islands, in Asia, Africa, and America, and to export from this kingdom, and carry unto all and every the said plantations, colonies, and islands, and there sell, dispose of, and barter all sorts of goods, wares, merchandizes and commodities, as well of the growth product, or manufactory of this kingdom, as of any other part of Europe, commonly called European goods, and import, and bring into this kingdom of Ireland, all sorts of goods, wares, merchandizes, and commodities of the growth, product, or manufactory, of all or any the said islands, colonies and plantations, without being obliged to land or unload in England, Wales, or the Town of Berwick upon Tweed, or entering all or any such goods, wares, or merchandizes there; but as herein after is expressed, and without being obliged upon shipping, or taking on board, in the said plantations, colonies, or islands, the said commodities, to enter into any bond, to bring the said goods

goods into England, Wales, or Town of Berwick upon Tweed, and to unload and put the same on shoar, any act, statute, ordinance, law, sentence, or judgment, at any time heretofore made, given, or in force, to the contrary notwithstanding: Provided always, that the master or owner of all and every such ship and ships, vessel or vessels, so trading, from this kingdom, unto all or any the said islands, colonies, or plantations, his or their agent or factors shall, and do before such ship or ships, vessel or vessels, sail from any part of this kingdom, towards the said islands, colonies, or plantations perfect, and enter into a bond, with one sufficient security, to the use of the king, and to be perfected to the collector, or chief custom-house officer of such port or place, whence such ship or vessel is to sail, in such a reasonable sum, as such collector, or custom-house officer, shall require, regard being had to the value of such cargoe, as the said ship or vessel shall export, with condition to bring the goods, wares, and merchandizes, which such ship or vessel shall take in, at all or any the said plantations, colonies, or islands, into England, Ireland, Wales, or Town of Berwick upon Tweed, and to no other place, and there to aboard and put the same on shoar, the danger of the seas only excepted: Be it likewise enacted, by the authority aforesaid, that all goods and merchandizes whatsoever, which shall be carryed, conveyed, or exported out of this kingdom of Ireland, to the said islands, colonies, and plantations, shall be lyable, and pay to the king's majesty, his heirs and successors, in the said islands, plantations and colonies, the same or so much customs, excise, or other duties, as the like goods or merchandizes being exported out of England, into all, or any the said plantations, colonies, or islands, and all goods or merchandizes imported into this kingdom, out of all or any the said islands, colonies and plantations, (tobacco and sugar only excepted) shall pay in this kingdom to the use of the king's majesty, his heirs and successors, the same or like duties, custom and excise, and no more or other, and in such manner, and at such time, and subject to such penalties and forfeitures, for non-entry, undue-entry, or non-payment of duties, as in the like acts of parliament made in this kingdom, in the fourteenth or fifteenth years of the reign of the late King Charles the Second; the one, intituled, "An act for settling the subsidy or poundage, " and granting of subsidy of tunnage, and other sums of money unto his " royal majesty, his heirs and successors; the same to be paid upon merchan- " dize, imported and exported into, or out of the kingdom of Ireland, " according to a book of rates hereunto annexed;" and the other, intituled, An

“ An act for the settling of the excise, or new im-post, upon his majesty, his
“ heirs and successors, according to the book of rates therein inserted, and as
“ in the said book of rates, and as in the rules, orders and directions, to the
“ said acts and books of rates annexed, are contained and specified:” And
whereas, the duties, and custom, and excise on tobacco, of the king’s majesties
plantations, imported into this kingdom, amount to no more, according to
the said two late acts of parliament in this kingdom, and books of rates to
them annexed, but to two pence per pound, which is too small a duty. Be it
therefore enacted, by the authority aforesaid; that all tobacco of the growth,
or product of all or any his majesties new plantations or islands, or any plan-
tations belonging to his most christian majesty, imported into this kingdom,
out of all or any the said plantations and islands, shall from and after the
eighteenth day of July, 1689, be charged, and lyable to pay unto his majesty,
his heirs, and successors, the sum of five pence sterling for each pound, custom,
and excise, (that is to say) two pence for each pound custom, and three pence
for each pound excise, and no more, provided always, that Spanish and Brazill
tobacco shall pay the same duty of custom, and excise, as formerly; and that
likewise, tobacco of that growth or product of the king’s plantation, or any of
the foreign plantations belonging to his most christian majesty, imported into
this kingdom out of England, or any other part of Europe at any time, from
or after the eighteenth day of July, 1689, shall pay and satisfy unto the king’s
majesty, his heirs and successors, the sum of two pence, sterling, custom, for,
and out of each, and every pound, and the sum of two-pence halfpenny, sterl-
ing, excise for and out of each pound, and no more. And, that sugars, indicoe,
log-wood, imported into this kingdom out of England, shall pay and satisfy
unto the kings majesty, his heirs and successors, (viz.) white sugar coming
from England, ten shillings custom, and ten shillings excise, for every hundred
weight, and no more; brown sugar, the sum of two shillings, six-pence, sterl.
custom, and the like sum of two shillings six-pence sterling excise for each
hundred weight, and no more; indicoe, the sum of two pence per pound
excise, and two pence custom for each pound, and no more; And log-wood,
five shillings, sterling, excise, and five shillings, sterling, custom, for each hun-
dred weight, and no more; The said duties, customs, and excise to be paid in
such manner, and under such pains and forfeitures, and with such allowances,
as in the aforesaid two acts and books of rates, orders, and directions are ex-
pressed and contained. And for the further encouragement and advance of
the said plantation trade, and for maintaining a greater, and more firm corre-
spondence

spondence and kindness between the subjects of this kingdom, and the planters, and inhabitants of the said plantations and islands; Be it enacted, by the authority aforesaid, that whatsoever goods or commodities of the growth, product, or manufactory of the said islands or plantations, shall be at any time hereafter unloaded, or landed, in any part of this kingdom, and shall pay or secure to be paid, the custom, duties, and excise on the said goods, due and payable, that at any time hereafter, within the space of one whole year, to commence from the day of such landing, it shall, and may be lawful to and for the merchant, owner or proprietor of such goods and commodities, his or their agents or factors, to export and carry out of this kingdom into any other nation, dominion or country, such and so much of the said goods and commodities so landed, as he or they shall think fit; and that upon such exportation the whole excise of such goods, which was before paid, or secured to be paid for the same, and one half of the custom of the said goods before paid or secured to be paid, shall be re-paid or allow'd to such merchant, owner, proprietor, his or their factors or agents so exporting, and that within twenty days next and immediately ensuing the date and time of such exportation, tobacco only excepted. And for the more encouragement of building good and serviceable ships, be it enacted by the authority aforesaid, that any person or persons who shall within the space of ten years to commence the 24th of June, 1689, build, or cause to be built within this kingdom of Ireland any ship or vessel above twenty-five tun, and under one hundred tun burthen, shall and may for the first three voyages any such ship or vessel shall make out of this kingdom, upon the said ships or vessels return from such voyage back into this kingdom, have, receive, or be allowed to his and their own proper use one eighth part of the duties of customs and excise which shall be due or payable to the king, his heirs or successors, for and out of all the goods and commodities so imported in such ship or vessel upon the said three first returns, which such ship or vessel shall make into this kingdom. And likewise, that any person or persons, who shall within the said space of ten years commencing, as aforesaid, build or cause to be built in this kingdom any ship or vessel exceeding in burthen 100 ton, shall for the first four voyages such ship or vessel shall make out of this kingdom, and upon the said ship or vessels return from the said voyages back to this kingdom, have and receive to his and their own proper use one eighth part of the duties of custom and excise, which shall be due or payable to the king, his heirs or successors, for or out of the goods and commodities

commodities so imported into such ship or vessel upon the four first returns such ship or vessel shall make out of this kingdom. And to the end that masters of ships, sea-men, mariners, ship-wrights, carpenters, rope-makers and block-makers may be encouraged and invited to come and dwell in this kingdom, and that thereby navigation may improve and increase, be it further enacted by the authority aforesaid, that all and every masters of ships, and ship-wrights, ship-carpenters, sea-men, mariners, rope-makers, and block-makers, who are at present residing within this kingdom, or who shall or do at any time from henceforth come and reside in this kingdom of Ireland, and shall pursue and follow his trade or calling, shall and may for the time and space of ten years after his or their so coming into this kingdom, be freed, exempted and discharged of, and from all sorts of taxes, and cesses, watch, ward, and quartering of soldiers and officers in and throughout this kingdom: And shall likewise have and be allowed his and their freedom gratis in any town, city, sea-port, corporation or borough, where he or they shall please to reside, and pursue his or their calling or trade. And be it further enacted by the authority aforesaid, that in the respective cities and towns of Dublin, Belfast, Waterford, Cork, Lymerick and Galloway there shall be established, erected and settled, before the first day of December, 1689, in each of the said towns and cities, and so continued for ever hereafter, a free school for teaching and instructing the mathematicks, and the art of navigation; in every of which schools there shall be placed and continued one or more able and sufficient master or masters for teaching and instructing the said arts: And that every of the said towns and cities shall out of the publick revenue and stock to them belonging, or otherwise, settle and secure a reasonable pension and stipend for such master or masters, to be paid them quarterly during his and their continuance in such employment or employments: Provided always, and be it further enacted by the authority aforesaid, that the said duties of custom and excise of tobacco of the growth or product of his majesties plantation, shall be and continue payable to his majesty, his heirs and successors, during the time, and so long as the now duties in England of custom and excise on tobacco, amounting to five-pence per pound, shall and do continue, and so long as this kingdom of Ireland shall have a free and open trade to and from the king's said foreign plantations, and no longer; and whensoever the said duties of five pence per pound custom and excise shall cease and determine in England, that then the duties of custom and excise, payable for tobacco imported

ported in this kingdom before the making of this act, shall remain, and be payable for ever thereafter to his majesty, his heirs and successors, and no more or other, and this present duty to cease and determine. Provided likewise, that it shall and may be lawful to and for all and every person and persons so importing tobacco from time to time, and at all times hereafter, to export and carry out of this kingdom into any other nation or kingdom all or any part of the said tobacco imported, and that upon such exportation out of this kingdom, the whole duty of excise of the said tobacco, and three half pence per pound of the custom shall be allowed and re-paid the merchant, owner or proprietor, his or their agents or factors so exporting the said tobacco: so that there shall be and remain to his majesty, his heirs and successors, but one half penny per pound custom for the said tobacco so exported.

No. XLIX.

The Civil and Military Articles of Limerick, exactly printed from the Letters Patents, wherein they are ratified and exemplified by their Majesties, under the Great Seal of England.

GULIELMUS et Maria Dei gratiâ, Angliæ, Scotiæ, Franciæ, et Hiberniæ, rex et regina, fidei defensores, &c. omnibus ad quos præsentis literæ nostræ pervenerint salutem: inspeximus irrotulament.

Quarumd. literarum patentium de confirmatione, geren. dat. apud Westmonasterium vicesimo quarto die Februarii, ultimi præteriti in cancellar. nostr. irrotulat. ac ibidem de recordo remanen. in hæc verba. William and Mary by the grace of God, &c. To all to whom these presents shall come greeting. Whereas certain articles, bearing date the third day of October last past, made and agreed on between our justices of our kingdom of Ireland, and our general of our forces there on the one part; and several officers there commanding within the city of Limerick in our said kingdom, on the other part. Whereby our said justices and general did undertake that we should ratify those articles, within the space of eight months, or sooner, and use their utmost endeavours that the same should be ratified and confirmed in parliament.

The tenour of which said articles is as follows, viz.
Articles agreed upon the third of October, one thousand six hundred and

ninety-one, between the Right Honourable Sir Charles Porter, knight, and Thomas Conningsby, Esq. Lords Justices of Ireland; and his excellency the Baron de Ginckle, Lieutenant General, and Commander in Chief of the English army, on the one part.

And the Right Honourable Patrick Earl of Lucan, Piercy Viscount Gallmoy, Colonel Nicholas Purcel, Colonel Nicholas Cusack, Sir Toby Butler, Colonel Garret Dillon, and Colonel John Brown, on the other part;

In behalf of the Irish inhabitants in the city and county of Limerick, the counties of Clare, Kerry, Cork, Sligo, and Mayo.

In consideration of the surrender of the city of Limerick, and other agreements made between the said Lieutenant General Ginckle, the Governour of the city of Limerick, and the Generals of the Irish army, bearing date with these presents, for the surrender of the said city, and submission of the said army; it is agreed, that

1. The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion, as are consistent with the laws of Ireland; or as they did enjoy in the reign of King Charles the Second; and their majesties, as soon as their affairs will permit them to summon a parliament in this kingdom, will endeavour to procure the said Roman Catholics such further security in that particular, as may preserve them from any disturbance upon the account of their said religion.

2. All the inhabitants or residents of Limerick or any other garrison now in the possession of the Irish, and all officers and soldiers, now in arms, under any commission of King James, or those authorized by him, to grant the same in the several counties of Limerick, Clare, Kerry, Cork, and Mayo, or any of them; and all the commissioned officers in their majesty's quarters, that belong to the Irish regiments, now in being, that are treated with, and who are not prisoners of war, or have taken protection, and who shall return and submit to their majesties obedience; and they and every of them, shall hold, possess, and enjoy, all and every their estates of freehold and inheritance, and all the rights, titles, and interests, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully intitled to in the reign of King Charles the Second, or at any time since, by the laws and statutes that were in force in the said reign of King Charles the Second, and shall be put in possession, by order of the government of such of them, as are in the king's hands, or the hands of his tenants, without being put to any suit or trouble therein

therein; and all such estates shall be freed and discharged from all arrears of crown-rents, quit-rents, and other public charges, incurred and become due since Michaelmas, 1688, to the day of the date thereof. And all persons comprehended in this article, shall have, hold, and enjoy all their goods and chattels, real and personal, to them or any of them, belonging, and remaining either in their own hands, or the hands of any persons whatsoever, in trust for, or for the use of them, or any of them; and all, and every the said persons, of what profession, trade or calling soever they be, shall and may use, exercise, and practise their several and respective professions, trades, and callings, as freely as they did use, exercise, and enjoy the same in the reign of King Charles the Second, provided that nothing in this article contained be construed to extend to, or restore any forfeiting person now out of the kingdom, except what are hereafter comprised: Provided also that no person whatsoever shall have or enjoy the benefit of this article that shall neglect or refuse to take the oath of allegiance made by act of parliament of England, in the first year of the reign of their present majesties, when thereunto required.

3. All merchants, or reputed merchants of the city of Limerick, or of any other garrison now possessed by the Irish or of any town or place in the counties of Clare or Kerry, who are absent beyond the seas, that have not bore arms since their majesties declaration in February, 1688, shall have the benefit of the second article, in the same manner as if they were present; provided such merchants, and reputed merchants, do repair into this kingdom within the space of eight months from the date hereof.

4. The following officers, viz. Colonel Simon Luttrell, Captain Rowland White, Maurice Eustace of Yermanstown, Chievers of Maystown, commonly called Mount Leinster, now belonging to the regiments in the aforesaid garrisons and quarters of the Irish army, who were beyond the seas, and sent thither upon affairs of their respective regiments, or the army in general, shall have the benefit and advantage of the second article, provided they return hither within the space of eight months from the date of these presents, and submit to their majesties government, and take the above-mentioned oath.

5. That all and singular the said persons comprised in the second and third article, shall have a general pardon of all attainders, outlawries, treasons, misprisions of treason, premunires, felonies, trespasses, and other crimes and misdemeanors whatsoever, by them or any of them, committed since the beginning

of the reign of King James the Second, and if any of them are attainted by parliament, the lords justices, and general, will use their best endeavours to get the same repealed by parliament, and the outlawries to be reversed gratis, all but writing-clerks fees.

6. And whereas these present wars have drawn on great violences on both parts; and that if leave were given to the bringing all sorts of private actions, the animosities would probably continue, that have been too long on foot, and the public disturbances last; for the quieting and settling therefore of this kingdom, and avoiding those inconveniences which would be the necessary consequence of the contrary, no person or persons whatsoever, comprised in the foregoing articles, shall be sued, molested, or impleaded at the suit of any party or parties whatsoever, for any trespasses by them committed, or for any arms, houses, money, goods, chattels, merchandizes, or provision whatsoever, by them seized or taken during the time of the war. And no person or persons whatsoever, in the second or third articles comprised, shall be sued, impleaded, or made accountable for the rents or mean rates of any lands, tenements or houses, by him or them received, or enjoyed in this kingdom, since the beginning of the present war, to the day of the date hereof, nor for any waste or trespass by him or them committed in any such lands, tenements or houses: and it is also agreed, that this article shall be mutual and reciprocal on both sides.

7. Every nobleman and gentleman comprised in the said second and third article, shall have liberty to ride with a sword and case of pistols, if they think fit, and keep a gun in their houses for the defence of the same, or for fowling.

8. The inhabitants and residents in the city of Limerick, and other garri-fons, shall be permitted to remove their goods, chattels, and provisions, out of the same without being viewed and searched, or paying any manner of duties, and shall not be compelled to leave the houses or lodgings they now have, for the space of six weeks next ensuing the date hereof.

9. The oath to be administered to such Roman Catholics as submit to their majesties government, shall be the oath above said, and no other.

10. No person or persons who shall at any time hereafter break these articles, or any of them, shall thereby make, or cause any other person or persons to forfeit or lose the benefit of the same.

11. The lords justices and general do promise to use their utmost endeavours, that all the persons comprehended in the above mentioned articles, shall

shall be protected and defended from all arrests and executions for debt or damage, for the space of eight months next ensuing the date hereof.

12. Lastly, the lords justices and general do undertake, that their majesties will ratify these articles within the space of eight months, or sooner, and use their utmost endeavours that the same shall be ratified and confirmed in parliament.

13. And whereas Colonel John Brown stood indebted to several protestants, by judgments of record, which appearing to the late government, the Lord Tyrconnel, and Lord Lucan, took away the effects the said John Brown had to answer the said debts; and promised to clear the said John Brown of the said debts: which effects were taken for the public use of the Irish, and their army: for freeing the said Lord Lucan of his said engagement, past on their public account, for payment of the said Protestants, and for preventing the ruin of the said John Brown, and for satisfaction of his creditors, at the instance of the Lord Lucan, and the rest of the persons aforesaid, it is agreed, that the said lords justices, and the said Baron De Ginckle shall intercede with the king and parliament, to have the estates secured to Roman Catholics, by articles and capitulation in this kingdom, charged with, and equally liable to the payment of so much of the said debts, as the said Lord Lucan upon stating accounts with the said John Brown, shall certify under his hand, that the effects taken from the said John Brown amount unto; which accompt is to be stated, and the balance certified by the said Lord Lucan in one and twenty days after the date hereof: for the true performance hereof, we have hereunto set our hands.

Present,—Scravemore,
H. Maccay,
T. Talmaih,

Charles Porter,
Tho. Coningsby,
Bar. De Ginckle.

And whereas the said city of Limerick hath been since, in pursuance of the said articles, surrendered unto us. Now know ye, that we having considered of the said articles are graciously pleased hereby to declare, that we do for us, our heirs, and successors, as far as in us lies, ratify and confirm the same, and every clause, matter, and thing therein contained. And as to such parts thereof, for which an act of parliament shall be found to be necessary, we shall recommend the same to be made good by parliament, and shall give our royal assent to any bill or bills that shall be passed by our two houses of parliament to that purpose. And whereas it appears unto us, that it was agreed between
the

to go to any country beyond the seas (England and Scotland excepted) where they think fit, with their families, household-stuff, plate and jewels.

2. That all general officers, colonels, and generally all other officers of horse, dragoons, and foot guards, troopers, dragooners, soldiers of all kinds that are in any garrison, place, or post, now in the hands of the Irish, or encamped in the counties of Cork, Clare, and Kerry, as also those called rapparees, or volunteers, that are willing to go beyond seas as aforesaid, shall have free leave to embark themselves wherever the ships are that are appointed to transport them, and to come in whole bodies as they are now composed, or in parties, companies or otherwise, without having any impediment, directly or indirectly.

3. That all persons above mentioned, that are willing to leave Ireland and go into France, shall have leave to declare at the times and places hereafter mentioned, viz. the troops in Limerick, on Tuesday next in Limerick; the horse at their camp on Wednesday, and the other forces that are dispersed in the counties of Clare, Kerry, and Cork, on the 8th instant, and on none other, before Monsieur Tameron the French intendant, and Colonel Withers, and after such declaration is made, the troops that will go into France must remain under the command and discipline of those officers that are to conduct them thither, and deserters of each side shall be given up, and punished accordingly.

4. That all English and Scotch officers that serve now in Ireland, shall be included in this capitulation, as well for the security of their estates and goods in England, Scotland, and Ireland, (if they are willing to remain here,) as for passing freely into France, or any other country to serve.

5. That all the general French officers, the intendant, the engineers, the commissaries at war, and of the artillery, the treasurer, and other French officers, strangers, and all others whatsoever, that are in Sligo, Ross, Clare, or in the army, or that do trade or commerce, or are otherwise employed in any kind of station or condition, shall have free leave to pass into France or any other country, and shall have leave to ship themselves, with all their horses, equipage, plate, papers, and all their effects whatever; and that General Ginckle will order passports for them, convoys, and carriages by land and water, to carry them safe from Limerick to the ships where they shall be embarked, without paying any thing for the said carriages, or to those that are employed therein, with their horses, cars, boats, and shallops.

6. That if any of the aforesaid equipages, merchandize, horses, money,
plate

plate or other moveables, or household stuff belonging to the said Irish troops, or to the French officers, or other particular persons whatsoever, be robbed, destroyed, or taken away by the troops of the said general, the said general will order it to be restored, or payment to be made according to the value that is given in upon oath by the person so robbed or plundered; and the said Irish troops to be transported as aforesaid; and all other persons belonging to them, are to observe good order in their march and quarters, and shall restore whatever they shall take from the country, or make restitution for the same.

7. That to facilitate the transporting the said troops, the general will furnish fifty ships, each ship's burthen two hundred tons; for which, the persons to be transported shall not be obliged to pay, and twenty more, if there shall be occasion, without their paying for them; and if any of the said ships shall be of lesser burthen, he will furnish more in number to countervail, and also give two men of war to embark the principal officers, and serve for a convoy to the vessels of burthen.

8. That a commissary shall be immediately sent to Cork to visit the transport ships, and what condition they are in for sailing; and that as soon as they are ready, the troops to be transported shall march with all convenient speed, the nearest way, in order to embark there; and if there shall be any more men to be transported than can be carried off in the said fifty ships, the rest shall quit the English town of Limerick, and march to such quarters as shall be appointed for them, convenient for their transportation, where they shall remain till the other twenty ships be ready, which are to be in a month; and may embark on any French ship that may come in the mean time.

9. That the said ships shall be furnished with forage for horse, and all necessary provisions to subsist the officers, troops, dragoons, and soldiers, and all other persons that are shipped to be transported into France, which provisions shall be paid for as soon as all are disembarked at Brest or Nantz, upon the Coast of Brittany, or any other part of France they can make.

10. And to secure the return of the said ships (the danger of the seas excepted) and payment for the said provisions, sufficient hostages shall be given.

11. That the garrisons of Clare Castle, Ross, and all other foot that are in garrisons in the counties of Clare, Cork, and Kerry, shall have the advantage of this present capitulation, and such part of those garrisons as design to go beyond the seas, shall march out with their arms, baggage, drums beating, ball in mouth, match lighted at both ends, and colours flying, with all the provisions,
and

and half the ammunition that is in the said garrisons, and join the horse that march to be transported; or if then there is not shipping enough for the body of foot that is to be next transported after the horse, General Ginckle will order that they be furnished with carriages for that purpose, and what provisions they shall want in their march, they paying for the said provisions, or else that they may take it out of their own magazines.

12. That all the troops of horse and dragoons, that are in the counties of Cork, and Clare, shall also have the benefit of this capitulation; and that such as will pass into France, shall have quarters given them in the counties of Clare and Kerry, apart from the troops that are commanded by General Ginckle, until they can be shipped; and within their quarters they shall pay for every thing, except forage and pasture for their horses, which shall be furnished gratis.

13. Those of the garrison of Sligo that are joined to the Irish army, shall have the benefit of this capitulation; and orders shall be sent to them that are to convey them up, to bring them hither to Limerick the shortest way.

14. The Irish may have liberty to transport nine hundred horse, including horses for the officers, which shall be transported gratis; and as for the troopers that stay behind, they shall dispose of themselves as they shall think fit, giving up their horses and arms to such persons as the general shall appoint.

15. It shall be permitted to those that are appointed to take care for the subsistence of the horse, that are willing to go to France, to buy hay and corn at the king's rates wherever they can find it, in the quarters that are assigned them, without any let or molestation, and to carry all necessary provisions out of the city of Limerick, and for this purpose the general will furnish convenient carriages for them to the places where they shall be embarked.

16. It shall be lawful to make use of the hay preserved in the stores of the county of Kerry, for the horses that shall be embarked; and if there be not enough, it shall be lawful to buy hay and oats wherever it shall be found, at the king's rates.

17. That all prisoners of war, that were in Ireland the 28th of September, shall be set at liberty on both sides; and the general promises to use his endeavours, that those that are in England and Flanders shall be set at liberty also.

18. The general will cause provisions and medicines to be furnished to the sick and wounded officers, troopers, dragoons, and soldiers of the Irish army that cannot pass into France at the first embarkment, and after they are cured, will order them ships to pass into France, if they are willing to go.

19. That on the signing hereof, the general will send a ship express to France; and that besides, he will furnish two small ships of those that are now in the river of Limerick, to transport two persons into France that are to be sent to give notice of this treaty, and that the commanders of the said ships shall have orders to put a-shore at the next port of France where they shall make.

20. That all those of the said troops, officers, and others of what character soever, that would pass into France, shall not be stopped upon the account of debt, or any other pretext.

21. If after signing this present treaty, and before the arrival of the fleet, a French packet-boat, or other transport-ship, shall arrive from France in any other part of Ireland, the general will order a passport, not only for such as must go on board the said ships, but to the ships to come to the nearest port, to the place where the troops to be transported shall be quartered.

22. That after the arrival of the said fleet, there shall be free communication and passage between it and the quarters of the abovesaid troops; and especially for all those that have passes from the chief commanders of the said fleet, or from Monsieur Tameron, the intendant.

23. In consideration of the present capitulation, the two towns of Limerick shall be delivered and put into the hands of the general, or any other person he shall appoint, at the time and days hereafter specified, viz. the Irish town, except the magazines and hospital, on the day of the signing of these present articles; and as for the English town, it shall remain, together with the island, and the free passage of Thomond-bridge, in the hands of those of the Irish army that are now in the garrison, or that shall hereafter come from the counties of Cork, Clare, Kerry, Sligo, and other places above-mentioned, until there shall be convenience found for their transportation.

24. And to prevent all disorders that may happen between the garrison that the general shall place in the Irish town, which shall be delivered to him, and the Irish troopers that shall remain in the English town and the island, which they may do, until the troops to be embarked on the first fifty ships shall be gone for France, and no longer; they shall intrench themselves on both sides, to hinder the communication of the said garrisons; and it shall be prohibited on both sides, to offer any thing that is offensive; and the parties offending shall be punished on either side.

25. That it shall be lawful for the said garrison to march out all at once, or at different times, as they can be embarked, with arms, baggage, drums beating,

ing, match lighted at both ends, bullet in mouth, colours flying, six brass guns, such as the besieged will chuse, two mortar pieces, and half the ammunition that is now in the magazines of the said place; and for this purpose, an inventory of all the ammunition in the garrison shall be made in the presence of any person that the general shall appoint, the next day after these present articles shall be signed.

26. All the magazines of provisions shall remain in the hands of those that are now employed to take care of the same, for the subsistence of those of the Irish army that will pass into France; and if there shall not be sufficient in the stores, for the support of the said troops, whilst they stay in this kingdom, and are crossing the seas, that upon giving up an account of their numbers, the general will furnish them with sufficient provisions at the king's rates; and that there shall be a free market at Limerick, and other quarters, where the said troops shall be; and in case any provisions shall remain in the magazines of Limerick when the town shall be given up, it shall be valued, and the price deducted out of what is to be paid for the provision to be furnished to the troops on ship-board.

27. That there shall be a cessation of arms at land as also at sea, with respect to the ships whether English, Dutch, or French, designed for the transportation of the said troops, until they shall be returned to their respective harbours; and that, on both sides, they shall be furnished with sufficient passports both for ships and men: and if any sea-commander, or captain of a ship, or any officer, trooper, dragoon, soldier, or any other person, shall act contrary to this cessation, the persons so acting shall be punished on either side, and satisfaction shall be made for the wrong that is done; and officers shall be sent to the mouth of the river of Limerick, to give notice to the commanders of the English and French fleets of the present conjuncture, that they may observe the cessation of arms accordingly.

28. That for the security of the execution of this present capitulation, and of each article therein contained, the besieged shall give the following hostages——— And the general shall give———

29. If before this capitulation is fully executed, there happens any change in the government, or command in the army, which is now commanded by General Ginckle, all those that shall be appointed to command the same, shall be obliged to observe and execute what is specified in these articles, or cause it to be executed punctually, and shall not act contrary on any account.

October 19.

Baron DE GINCKLE.

No. L.

The Lord Lieutenant's Protest against the House of Commons Claim to the Right of Originating Money Bills. (Page 200.)

(SIDNEY.)

WHEREAS at a parliament, holden at Drogheda in the tenth year of the reign of King Henry VII. an act was made for and concerning the order, manner, and form of parliaments, to be holden and kept in this realm of Ireland; and by another act, made at parliament, holden at Dublin in the third and fourth year of King Philip and Queen Mary, it was ordained, enacted and established, that no parliament should be summoned or holden within this realm of Ireland, until such time as the lieutenant, lord deputy, lord justice or lords justices, chief governor or governors, or any of them, and the council of this realm for the time being, should have certified the king and queen's majesties, their heirs and successors, under the great seal of this realm of Ireland, the considerations, causes and articles of such act, provisions and ordinances, as by them should be thought meet and necessary, to be enacted and passed here by parliament; and should have received again their majesties' answer under the great seal of England, declaring their pleasures, either for passing of the said act, provisions and ordinances, in the form and tenor as they should be sent into England, or else for change and alteration of them, or any part of the same: And that as well after any authority of licence sent into this kingdom for holding a parliament, as also at all times after the summons, and during the time of any parliament, to be thereafter holden within this realm, the lieutenant, lord deputy, lord justice and lord justices, or other chief governor and council of this kingdom, for the time being, should and might certify all such other considerations, causes, tenors, provisions and ordinances, as they should further think good to be enacted and established, at and in the said parliament to the king and queen's majesty, their heirs and successors, under the great seal of this realm of Ireland; and such considerations, causes, tenors, provisions and ordinances, or any of them as should be thereupon certified and returned into this realm, under the great seal of England, and no other, should and might pass and be enacted here, in any such parliament within
this

this said realm of Ireland, in case the same consideration, causes, tenors, provisions and ordinances, or any of them, should be agreed or resolved on by the then estates of the said parliament.

And whereas in this present session of parliament, a bill intituled, an act for granting unto their majesties an additional duty on beer, ale and other liquors, which had been certified by us the lord lieutenant of this kingdom and the council, unto the king and queen's majesty, under the great seal of England, and by us sent to the House of Commons to be considered of in this present parliament, the said commons having the said bill lying upon the table, on the 27th day of the month of October last, did come to a vote thereupon, and resolved, that it is the sole and undoubted right of the said commons to prepare heads of bills for raising money. And further, on the 28th day of the same October, a motion being made in the said house, and the question put, that a bill then on the table, which had likewise been regularly transmitted in the same form, intituled, an act for granting duties for one year, might be read; it passed in the negative: And the said House of Commons resolved, that the said bill be rejected by that house; and further resolved, that it be entered in the journals of that house, that the reason why the said bill was rejected, is, that the same had not its rise in that house. All which resolutions and proceedings appear in the journals of the House of Commons, printed by their order and authority, by which votes and resolutions, the said House of Commons do exclude their majesties and the crown of England from the right of transmitting any bills for granting of money, or other aids to their majesties, and their successors: which recited votes, resolutions and proceedings of the House of Commons, being contrary to the said recited acts of parliament, and the continued usage and practice ever since the making thereof, and a great invasion upon their majesties prerogative, and the rights of the crown of England: We the lord lieutenant, as well to assert the rights of the crown of England, (whereof we are and ever will be most tender) in transmitting such bills under the great seal of England, to be considered of in parliament, as to discharge the trust reposed in us, and prevent the inconveniences which may hereafter happen, in case these votes and resolutions of the house of commons should be made publick, or remain in their journals, without any contradiction or animadversion, have thought it necessary, this day, in full parliament, to protest: And we do accordingly protest against the aforesaid votes and resolutions made by the House of Commons, and entered in their journals,
and

and assert, protest and declare, that it is their majesties' prerogative and the undoubted right of the crown of England, observing the forms in the said several acts, to transmit bills under the great seal of England for granting of aids to their majesties, their heirs and successors, which said bills, so transmitted, ought to be read and considered by the House of Commons, in this kingdom: And therefore, the said recited votes and proceedings of the House of Commons, are contrary to the acts of parliament above mentioned, and the constant practice and usages in all parliaments since the making thereof; and also highly derogatory to their majesties' royal authority, and the rights of the crown of England.

By his excellency's special command,

C. WICH.

No. LI.

Report of the Commissioners upon the forfeited Lands. (Page 207.)

THE commissioners met with great difficulties in their enquiries, which were occasioned chiefly by the backwardness of the people of Ireland to give any information, out of fear of the grantees, whose displeasure in that kingdom was not easily borne; and by reports industriously spread and believed, that their enquiry would come to nothing. Nevertheless, it appeared to them, that the persons outlawed in England, since the 13th February, 1688, on account of the late rebellion, amounted in number to fifty-seven, and in Ireland to three thousand nine hundred and twenty-one. That all the lands in the several counties in Ireland belonging to the forfeited persons, as far as they could reckon, made 1060792 acres, worth per annum 211,623*l.* which by computation of six years purchase for a life, and thirteen years for the inheritance, came to the full value of 268,138*l.* That some of those lands had been restored to the old proprietors, by virtue of the articles of Limerick and Galloway, and by his majesty's favour, and the reversal of outlawries, and royal pardons, obtained chiefly by gratifications to such person as had abused his majesty's royal bounty and commission. Beside these restitutions, which they thought to be corruptly procured, they gave an account of seventy-six grants and custodiams, under the great seal of Ireland; as to the Lord Rumney three grants now in being, containing 49517 acres; to the Earl of Albemarle in two grants

grants 108,633 acres in possession and reversion; to William Bentinck, Esq. Lord Woodstock, 135,820 acres of land; to the Earl of Athlone two grants, containing 26,480 acres; to the Earl of Galloway on grant 36,148 acres, &c. wherein they observed, that the estates so mentioned did not yield so much to the grantees as they were valued at; because as most of them had abused his majesty in the real value of their estates, so their agents had imposed on them, and had either sold or lett the greatest part of those lands at an under value. But after all deductions and allowances, there yet remained 1,699,343*l.* 14*s.* which they lay before the commons as the gross value of the estates since the 13th day of February, and not restored; besides a grant under the great seal of Ireland, dated the 13th of May, 1695, passed to Mrs. Elizabeth Villiers, now Countess of Orkney, of all the private estates of the late King James, (except some part in grant to Lord Athlone,) containing 95,649 acres, worth per annum 25,995*l.* 18*s.* value: total 331,943*l.* 9*s.* concluding, that there was payable out of this estate, 2000*l.* per annum to Mrs. Godfrey for their lives; and that almost all the old leases determined in May, 1701; and then this estate would answer the value above mentioned.

Signed

Francis Annesley,

James Hamilton,

John Trenchard,

Henry Langford.

No. LII.

The several Arguments of Sir Theobald Butler, Counsellor Malone, and Sir Stephen Rice, at the Bar of the House of Commons of Ireland, February 22d; and at the Bar of the House of Lords, February 28th, 1703, against passing the Bill, intituled, An Act to prevent the further growth of Popery. (P. 213.)

THE Papists of Ireland observing, that the House of Commons were preparing the heads of a bill to be transmitted to England to be drawn up into an act, to prevent the further growth of popery; and having in vain endeavoured to put a stop to it there, at its remittance back again to Ireland, presented to the House of Commons a petition in the names of Nicholas Lord Viscount Kingland, Colonel J. Brown, Colonel Burk, Colonel Nugent, Major Pat. Allen, Captain Arthur French, and other Roman Catholics of Ireland,

Ireland, praying to be heard by their counsel against the passing the said bill, then under consideration of the said house; and to have a copy of the bill, and a reasonable time to speak to it before it passed. Which petition being referred to the committee of the whole house, to whom the consideration of the said bill was referred, it was ordered, that the petitioners should have a copy of the said bill, and be heard by their counsel, before the said committee.

And in pursuance of that order, Sir Theobald Butler, Counsellor Malone, and Sir Stephen Rice, (the two first in their gowns as counsel for the petitioners in general, and the last without a gown, only as a petitioner in his private capacity), together with many others, upon Tuesday, the 22d of February, 1703, appeared at the bar of the said House of Commons, where Sir Theobald Butler first moved and acquainted the house, that, “ by the
 “ permission of that house, he was come thither in behalf of himself, and the
 “ rest of the Roman Catholics of Ireland comprized in the articles of Lime-
 “ rick and Galway, to offer some reasons, which he and the rest of the peti-
 “ tioners judged very material against passing the bill, intituled, An Act to
 “ prevent the further growth of Popery; that by leave of the house, he had
 “ taken a copy of the said bill, (which he had there in his hand), and with
 “ submission, looked upon it to tend to the destroying of the said articles,
 “ granted upon a most valuable consideration, of surrendering the said gar-
 “ risons, at the time when they had the sword in their hands, and for any
 “ thing that then appeared to the contrary, might have been in a condition
 “ to hold out much longer, and when it was in their power to demand, and
 “ make for themselves such terms, as might be for their then and future liberty,
 “ safety and security: and that too, when the allowing such terms were
 “ highly advantageous to the government to which they submitted, as well
 “ for uniting the people that were then divided, quieting and settling the
 “ distractions and disorders of this then miserable kingdom, as for the other
 “ advantages the government would thereby reap in its own affairs, both at
 “ home and abroad; when its enemies were so powerful both by sea and
 “ land, as to give doubt or interruption to its peace and settlement.

“ That by such their power, those of Limerick did for themselves, and
 “ others therein comprized, obtain and make such articles, as by which, all
 “ the Irish inhabitants in the city and county of Limerick, and in the coun-
 “ ties of Clare, Kerry, Cork, Sligo, and Mayo, had full and free pardon of
 “ and

“ and for all attainders, outlawries, treasons, misprision of treasons, felonies,
“ trespasses, and other crimes whatever, which at any time from the beginning
“ of King James the Second, to the 3d of October, 1691, had been acted,
“ committed, or done by them, or any of them; and by which they and their
“ heirs were to be forthwith put in possession of, and for ever possess, and en-
“ joy all and every of their freeholds and inheritance; and all their rights,
“ titles, and interests, privileges and immunities, which they and every of
“ them held and enjoyed, and by the laws in force were intitled unto, in
“ the reign of King Charles the Second, or at any time since, by the laws and
“ statutes that were in force in that reign, &c. And therefore read so much
“ of the second article of Limerick, as tended to that purpose.” “ That in
“ the reign of Charles the Second, the petitioners, and all that were intitled
“ to the benefit of those articles, were in such full and free possession of their
“ estates, and had the same power to sell, or otherwise to dispose, or convey
“ them, or any other thing they enjoyed; and were as rightfully intitled to
“ all the privileges, immunities, and other advantages whatever, according to
“ the laws then in force, as any other subjects whatsoever; and which, there-
“ fore, without the highest injustice, could not be taken from them, unless
“ they had forfeited them themselves.

“ That if they had made any such forfeiture, it was either before or after
“ the making the said articles: if before, they had a full and free pardon for
“ that by the said articles, &c. and therefore are not accountable by any law
“ now in force for the same, and for that reason not now to be charged with
“ it; and since they cannot be charged with any general forfeiture of those
“ articles since, they at that same time remained as absolutely intitled to all
“ the privileges, advantages, and benefits of the laws both already made, and
“ hereafter to be made, as any other of her majesty's subjects whatsoever.

“ That among all societies there were some ill people: that by the 10th ar-
“ ticle of Limerick, the whole community is not to be charged with, nor for-
“ feited by the crimes of particular persons.

“ That there were already wholesome laws in force sufficient, and if not,
“ such as were wanting might be made, to punish every offender according
“ to the nature of the crime: and in the name of God let the guilty suffer for
“ their own faults; but the innocent ought not to suffer for the guilty, nor
“ the whole for any particular. That surely they would not now (they had
“ tamely got the sword out of their hands), rob them of what was then in

“ their power to have kept; for that would be unjust, and not according to
“ that golden rule, to do as they would be done by, was the case reversed,
“ and the contrary side their own.

“ That the said articles were first granted them by the general of the Eng-
“ lish army, upon the most important consideration of getting the city of Li-
“ merick into his hands, (when it was in a condition to have held out, till it
“ might have been relieved by the succours then coming to it from France),
“ and for preventing the further effusion of blood, and the other ill conse-
“ quences which (by reason of the then divisions and disorders) the nation
“ then laboured under, and for reducing those in arms against the English
“ government, to its obedience.

“ That the said articles were signed and perfected by the said generals, and
“ the then lords justices of this kingdom, and afterwards ratified by their late
“ majesties, for themselves, their heirs and successors, and have been since
“ confirmed by an act of parliament in this kingdom, viz. stat. 9. Guil. 3
“ 1. chap. 27. (which he there produced and pleaded) and said could not
“ be avoided without breaking the said articles, and the public faith thereby
“ plighted to all those comprised under the said articles, in the most solemn
“ and engaging manner, 'tis possible for any people to lay themselves under,
“ and than which nothing could be more sacred and binding. That therefore
“ to violate, or break those articles, would on the contrary be the greatest
“ injustice possible for any one people of the whole world to inflict upon ano-
“ ther, and which is contrary to both the laws of God and man.

“ That pursuant to these articles, all those Irish then in arms against the go-
“ vernment, did submit thereunto, and surrendered the said city of Limerick,
“ and all other garrisons then remaining in their possession, and did take such
“ oaths of fidelity to the king and queen, &c. as by the said articles they were
“ obliged to, and were put into possession of their estates, &c.

“ That such their submission was upon such terms as ought now, and at all
“ times, to be made good to them; but that if the bill then before the house,
“ intituled, An Act to prevent the further growth of Popery, should pass into
“ a law, (which, said he, God forbid!) it would be not only a violation of
“ those articles, but also a manifest breach of the public faith, of which the
“ English had always been most tender in many instances, some of which he
“ then quoted; and that, in particular, in the preamble of the act before-
“ mentioned,

“ mentioned, made for confirmation of these articles, wherein there is a particular regard and respect had to the public faith.

“ That since the said articles were thus under the most solemn ties, and for such valuable considerations granted the petitioners, by nothing less than the general of the army, the lords justices of the kingdom, the king, queen, and parliament, the public faith of the nation was therein concerned, obliged, bound, and engaged, as fully and firmly, as was possible for one people to pledge faith to another; that therefore this parliament could not pass such a bill, as that intituled, An Act to prevent the further growth of Popery, then before the house, into a law, without infringing those articles, and a manifest breach of the public faith; of which he hoped that house would be no less regardful and tender than their predecessors, who made the act for confirming those articles, had been.

“ That the case of the Gibeonites, 2 Sam. 21. 1. was a fearful example of breaking of public faith, which above 100 years after brought nothing less than a three year's famine upon the land; and stayed not till the lives of all Saul's family atoned for it.

“ That even among the heathens, and most barbarous of nations, all the world over, the public faith had always been held most sacred and binding, that surely it would find no less a regard in that august assembly.

“ That if he proved the passing that act, was such a manifest breach of those articles, and consequently of the public faith, he hoped that honorable house would be very tender how they passed the said bill before them into a law, to the apparent prejudice of the petitioners, and the hazard of bringing upon themselves and posterity, such evils, reproach and infamy, as the doing the like had brought upon other nations and people.

“ Now, that the passing such a bill as that then before the house, to prevent the further growth of popery, will be a breach of those articles, and consequently of the public faith, I prove (said he) by the following argument.

“ The argument then is, (said he) whatever shall be enacted to the prejudice or destroying of any obligation, covenant or contract, in the most solemn manner, and for the most valuable consideration entered into, is a manifest violation and destruction of every such obligation, covenant and contract: but the passing that bill into a law, will evidently and absolutely destroy the articles of Limerick and Galway, to all intents and purposes; and therefore the passing that bill into a law, will be such a breach of those

“ articles, and consequently of the public faith plighted for performing
 “ those articles, which remained to be proved.

“ The *major* is proved; (said he) for that whatever destroys or violates
 “ any contract or obligation, upon the most valuable considerations, most
 “ solemnly made and entered into, destroys and violates the end of every such
 “ contract or obligation: but the end and design of those articles were, that all
 “ those therein comprised, and every of their heirs, should hold, possess,
 “ and enjoy all and every of their estates of freehold and inheritance,
 “ and all the rights, titles, and interest, privileges and immunities, which
 “ they and every of them held, enjoyed, or were rightfully intitled to, in
 “ the reign of King Charles the Second, or at any time since, by the
 “ laws and statutes that were in force in the said reign in this realm: but that
 “ the design of this bill, was to take away every such right, title, interest, &c.
 “ from every father being a papist, and to make the popish father, who, by
 “ the articles and laws aforesaid, had an undoubted right, either to sell, or
 “ otherwise at pleasure to dispose of his estate, at any time of his life, as he
 “ thought fit, only tenant for life, and consequently disabled from selling,
 “ or otherwise disposing thereof, after his son or other heir should become
 “ protestant, though otherwise never so disobedient, profligate, or extrava-
 “ gant: ergo, this act tends to the destroying the end for which those arti-
 “ cles were made, and consequently the breaking of the public faith plighted
 “ for their performance.

“ The *minor* is proved by the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 15th, 16th,
 “ and 17th clauses of the said bill, all which (said he) I shall consider and
 “ speak to, in the order as they are placed in the bill.

“ By the first of these clauses, (which is the third of the bill) I that am
 “ the popish father, without committing any crime against the state, or the
 “ laws of the land, (by which only I ought to be governed), or any other
 “ fault; but merely for being of the religion of my fore-fathers, and that
 “ which, till of late years, was the ancient religion of these kingdoms, contrary
 “ to the express words of the second article of Limerick, and the public faith,
 “ plighted as aforesaid for their performance, am deprived of my inherit-
 “ ance, freehold, &c. and of all other advantages, which by those articles,
 “ and the laws of the land, I am intitled to enjoy, equally with every other
 “ of my fellow-subjects, whether protestant or popish. And though such my
 “ estate be even the purchase of my own hard labour and industry, yet I shall
 “ not (though my occasions be never so pressing), have liberty (after my
 “ eldest

“ eldest son, or other heir, becomes a protestant), to sell, mortgage, or other-
 “ wise dispose of, or charge it for payment of my debts; or have leave out
 “ of my own estate, to order portions for my other children; or leave a lega-
 “ cy, though never so small, to my poor father or mother, or other poor rela-
 “ tions; but during my own life, my estate shall be given to my son, or other
 “ heir, being a protestant, though never so undutiful, profligate, extravagant,
 “ or otherwise undeserving; and I that am the purchasing father, shall be-
 “ come tenant for life only, to my own purchase, inheritance and freehold,
 “ which I purchased with my own money: and such my son, or other heir,
 “ by this act, shall be at liberty to sell, or otherwise at pleasure to dispose of my
 “ estate, the sweat of my brow, before my face; and I that am the purchaser,
 “ shall not have liberty to raise one farthing upon the estate of my own pur-
 “ chase, either to pay my debts, or portion my daughters, if any I have, or
 “ make provisions for my other male children, though never so deserving and
 “ dutiful: but my estate, and the issues and profits of it, shall, before my
 “ face, be at the disposal of another, who cannot possibly know how to distin-
 “ guish between the dutiful and undutiful, deserving or undeserving. Is not
 “ this, gentlemen, (said he) a hard case? I beseech you, gentlemen, to con-
 “ sider, whether you would not think it so, if the scale was changed, and the
 “ case your own, as it is like to be ours, if this bill pass into a law.

“ It is natural for a father to love the child, but we all know (says he) that
 “ children are but too apt and subject, without any such liberty as this bill
 “ gives, to slight and neglect their duty to their parents; and surely such an
 “ act as this, will not be an instrument of restraint, but rather encourage
 “ them more to it.

“ It is but too common with the son, who has a prospect of an estate, when
 “ once he arrives at the age of one and twenty, to think the old father too
 “ long in the way, between him and it, and how much more will he be subject
 “ to it, when by this act, he shall have liberty before he comes to that age,
 “ to compel and force my estate from me, without asking my leave, or being
 “ liable to account with me for it, or out of his share thereof, to a moiety of
 “ the debts, portions, or other incumbrances, with which the estate might
 “ have been charged, before the passing this act.

“ Is not this against the laws of God and man? against the rules of reason
 “ and justice; by which all men ought to be governed? Is not this the only
 “ way

“ way in the world, to make children become undutiful? and to bring the
 “ grey head of the parent to the grave, with grief and tears.

“ It would be hard from any man; but from a son, a child, the fruit of
 “ my body, whom I have nursed in my bosom, and tendered more dearly than
 “ my own life, to become my plunderer, to rob me of my estate, to cut my
 “ throat, and to take away my bread, is much more grievous than from any
 “ other; and enough to make the most flinty of hearts to bleed, to think
 “ on't. And yet this will be the case if this bill pass into a law; which I
 “ hope this honorable assembly will not think of, when they shall more seri-
 “ riously consider, and have weighed these matters.

“ For God's sake, gentlemen, will you consider whether this is according to
 “ the golden rule, to do as you would be done unto? And if not, surely you
 “ will not, nay you cannot, without being liable to be charged with the most
 “ manifest injustice imaginable, take from us our birth-rights, and invest
 “ them in others before our faces.

“ By the 4th clause of the bill, the Popish father is under the penalty of
 “ 500*l.* debarred from being guardian to, or having the tuition or custody of
 “ his own child or children; but if the child pretends to be a Protestant,
 “ though never so young, or incapable of judging of the principles of any
 “ religion, it shall be taken from its own father, and put into the hands or
 “ care of a Protestant relation, if any there be qualified as this act directs,
 “ for tuition, though never so great an enemy to the Popish parent; and
 “ for want of relations so qualified, into the hands and tuition of such Pro-
 “ testant stranger, as the court of Chancery shall think fit to appoint, who
 “ perhaps may likewise be my enemy, and out of prejudice to me who am
 “ the Popish father, shall infuse into my child, not only such principles of re-
 “ ligion, as are wholly inconsistent with my liking, but also against the duty
 “ which by the laws both of God and nature is due from every child to its
 “ parents: And it shall not be in my power to remedy, or question him for
 “ it; and yet I shall be obliged to pay for such education, how pernicious
 “ soever. Nay, if a legacy or estate fall to any of my children, being minors,
 “ I that am the Popish father shall not have the liberty to take care of it,
 “ but it shall be put into the hands of a stranger; and though I see it con-
 “ founded before my face, it shall not be in my power to help it. Is not
 “ this a hard case, gentlemen? I am sure you cannot but allow it to be a very
 “ hard case.

“ The

“ The 5th clause provides, that no Protestant or Protestants, having any
“ estate real or personal, within this kingdom, shall at any time after the 24th
“ of March, 1703, intermarry with any Papist, either in or out of this king-
“ dom, under the penalties in an act made in the 9th of King William,
“ intituled, an act to prevent Protestants intermarrying with Papists, which
“ penalties, see in the 5th clause of the act itself.

“ Surely, gentlemen, this is such a law as was never heard of before, and
“ against the law of right, and the law of nations; and therefore a law
“ which is not in the power of mankind to make, without breaking through
“ the laws which our wise ancestors prudently provided for the security of
“ posterity, and which you cannot infringe, without hazarding the under-
“ mining the whole legislature, and encroaching upon the privileges of your
“ neighbouring nations, which it is not reasonable to believe they will allow.

“ It has indeed been known, that there hath been laws made in England,
“ that have been binding in Ireland: but surely it never was known, that
“ any law made in Ireland could affect England or any other country. But
“ by this act, a person committing matrimony (an ordinance of the Almighty)
“ in England, or any other part beyond the seas (where it is lawful both by
“ the laws of God and man so to do), if ever they come to live in Ireland,
“ and have an inheritance or title to any interest to the value of 500*l.* they
“ shall be punished for a fact consonant to the laws of the land where it was
“ committed. But, gentlemen, by your favor, this is what, with submission, is
“ not in your power to do: for no law that either now is, or that hereafter
“ shall be in force in this kingdom, shall be able to take cognizance of any
“ fact committed in another nation: nor can any one nation make laws for
“ any other nation, but what is subordinate to it, as Ireland is to England;
“ but no other nation is subordinate to Ireland; and therefore any laws made
“ in Ireland cannot punish me for any fact committed in any other nation,
“ but more especially England, to whom Ireland is subordinate: and the
“ reason is, every free nation, such as all our neighbouring nations are, by
“ the great law of nature, and the universal privileges of all nations, have an
“ undoubted right to make, and be ruled and governed by laws of their own
“ making: for that to submit to any other, would be to give away their own
“ birth-right, and native freedom; and become subordinate to their neigh-
“ bours, as we of this kingdom, since the making of Poynings's act, have been,
“ and

“ and are to England ; a right which England would never so much as endure to hear of, much less to submit to.

“ We see how careful our forefathers have been to provide that no man should be punished in one county (even of the same nation) for crimes committed in another county ; and surely it would be highly unreasonable, and contrary to the laws of all nations in the whole world, to punish me in this kingdom, for a fact committed in England, or any other nation, which was not against, but consistent with the laws of the nation, where it was committed. I am sure there is not any law in any other nation of the world that would do it.

“ The 6th clause of this bill is likewise a manifest breach of the second of Limerick articles, for by that article, all persons comprized under those articles, were to enjoy, and have the full benefit of all the rights, titles, privileges, and immunities whatsoever, which they enjoyed, or by the laws of the land then in force, were entitled to enjoy, in the reign of King Charles the Second. And by the laws then in force, all the Papists of Ireland had the same liberty, that any of their fellow subjects had, to purchase any manors, lands, tenements, hereditaments, leases for lives or for years, rents, or any other thing of profit whatsoever : but by this clause of this bill, every Papist or person professing the Popish religion, after the 24th of March, 1703, is made incapable of purchasing any manors, lands, tenements, hereditaments, or any rents or profits out of the same, or holding any lease of lives, or any other lease whatsoever, for any term exceeding thirty-one years, wherein a rent, not less than two-thirds of the improved yearly value, shall be reserved, and made payable, during the whole term ; and therefore this clause of this bill, if made into a law, will be a manifest breach of those articles.

“ The 7th clause is yet of much more general consequence, and not only a like breach of those articles, but also manifest robbing of all the Roman Catholics of the kingdom of their birthright : for by those articles, all those therein comprized were (said he) pardoned all misdemeanors whatsoever, of which they had in any manner of way been guilty, and restored to all the rights, liberties, privileges, and immunities whatever, which, by the laws of the land, and customs, constitutions, and native birthright, they, any, and every of them, were, equally with every other of their fel-

“ low

“ low subjects entitled unto. And by the laws of nature and nations (as
 “ well as by the laws of the land) every native of any country, has an un-
 “ doubted right and just title to all the privileges and advantages, which such
 “ their native country affords : and surely no man but will allow, that by such
 “ a native right, every one born in any country, hath an undoubted right to
 “ the inheritance of his father, or any other to whom he or they may be heir
 “ at law : but if this bill pass into a law, every native of this kingdom, that
 “ is and shall remain a Papist, is, *ipso facto*, during life, or his or their conti-
 “ nuing a Papist, deprived of such inheritance, devise, gift, remainder, or
 “ trust, of any lands, tenements, or hereditaments, of which any Protestant
 “ now is, or hereafter shall be seized in fee-simple absolute, or fee-tail, which
 “ by the death of such Protestant, or his wife, ought to descend immedi-
 “ ately to his son or sons, or other issue in tail, being such Papist, and eighteen
 “ years of age, or, if under that age, within six months after coming to that
 “ age, shall not conform to the Church of Ireland, as by law established ;
 “ and every such devise, gift, remainder, or trust, which, according to the
 “ laws of the land, and such native right, ought to descend to such Papist,
 “ shall, during the life of such Papist (unless he forsake his religion), descend
 “ to the nearest relation that is a Protestant, and his heirs, being and conti-
 “ nuing Protestants, as though the said Popish heir and all other Popish re-
 “ lations were dead, without being accountable for the same ; which is no-
 “ thing less than robbing such Popish heir of such his birthright ; for no other
 “ reason but his being and continuing of that religion, which, by the first of
 “ Limerick articles, the Roman Catholics of this kingdom were to enjoy, as
 “ they did in the reign of King Charles the Second ; and then there was no
 “ law in force, that deprived any Roman Catholic of this kingdom of any
 “ such their native birthright, or any other thing, which, by the laws of the
 “ land then in force, any other fellow subjects were entitled unto.

“ The 8th clause of this bill is to erect in this kingdom a law of gavel-kind,
 “ a law in itself so monstrous and strange, that I dare say, this is the first time
 “ it was ever heard of in the world ; a law so pernicious and destructive to
 “ the well-being of families and societies, that in an age or two, there will
 “ hardly be any remembrance of any of the ancient Roman Catholic families
 “ known in this kingdom ; a law which, therefore, I may again venture to
 “ say, was never before known or heard of in the universe !

“ There is, indeed, in Kent, a custom, called the custom of gavel-kind ;
 “ but

“ but I never heard of any law for it till now ; and that custom is far dif-
 “ ferent from what by this bill is intended to be made a law ; for there, and
 “ by that custom, the father, or other person, dying possessed of any estate of
 “ his own acquisition, or not entailed (let him be of what persuasion he will),
 “ may by will bequeath it at pleasure : or if he dies without will, the estate
 “ shall not be divided, if there be any male heir to inherit it ; but for want
 “ of male heir, then it shall descend in gavel-kind among the daughters, and
 “ not otherwise. But by this act, for want of a Protestant heir, enrolled as
 “ such within three months after the death of such Papist, to be divided,
 “ share and share alike, among all his sons ; for want of sons among his
 “ daughters ; for want of such among the collateral kindred of his father ;
 “ and in want of such, among those of his mother ; and this is to take place
 “ of any grant, settlement, &c. other than sale for valuable consideration of
 “ money, really, *bona fide*, paid. And shall I not call this a strange law ?
 “ Surely it is a strange law, which, contrary to the laws of all nations, thus
 “ confounds all settlements, how antient soever, or otherwise warrantable by
 “ laws heretofore in force, in this or any other kingdom.

“ The 9th clause of this act is another manifest breach of the articles of
 “ Limerick, for by the 9th of those articles, no oath is to be administered to,
 “ nor imposed upon such Roman Catholics, as should submit to the govern-
 “ ment, but by oath of allegiance, appointed by an act of parliament made in
 “ England, in the first year of the reign of their late majesties King Wil-
 “ liam and Queen Mary, (which is the same with the first of those appointed
 “ by the 10th clause of this act :) But by this clause none shall have the be-
 “ nefit of this act, that shall not conform to the church of Ireland, subscribe
 “ the declaration, and take and subscribe the oath of abjuration, appointed
 “ by the 9th clause of this act ; and therefore this act is a manifest breach of
 “ those articles, &c. and a force upon all the Roman Catholics therein
 “ comprised, either to abjure their religion, or part with their birthrights,
 “ which, by those articles, they were, and are, as fully and as rightfully en-
 “ titled unto as any other subjects whatever.

“ The 10th, 11th, 12th, 13th, and 14th clauses of this bill (said he) relate
 “ to offices and employments, which the Papists of Ireland cannot hope for
 “ the enjoyment of, otherwise than by grace and favor extraordinary ; and
 “ therefore do not so much affect them, as it does the Protestant Dissenters,
 “ who (if this bill pass into a law) are equally with the Papists deprived of
 “ bearing any office, civil or military, under the government, to which by
 “ right

“ right of birth, and the laws of the land, they are as indisputably entituled,
 “ as any other Protestant brethren: and if what the Irish did in the late dif-
 “ orders of this kingdom, made them rebels, (which the presence of a king,
 “ they had before been obliged to own, and swear obedience to, gave them
 “ a reasonable colour of concluding it did not), yet surely the Dissenters did
 “ not do any thing to make them so; or to deserve worse at the hands of
 “ the government, than other Protestants; but, on the contrary, it is more
 “ than probable, that if they, (I mean the Dissenters) had not put a stop to
 “ the career of the Irish army at Enniskillen and Londonderry; the settle-
 “ ment of the government, both in England and Scotland, might not have
 “ proved so easy, as it thereby did, for if that army had got to Scotland, (as
 “ there was nothing at that time to have hindered them, but the bravery of
 “ those people, who were mostly Dissenters, and chargeable with no other
 “ crimes since; unless their close adhering to, and early appearing for the
 “ then government, and the many faithful services they did their country,
 “ were crimes) I say (said he) if they had got into Scotland, when they had
 “ boats, barks, and all things else ready for their transportation, and a great
 “ many friends there in arms waiting only their coming to join them, it is
 “ easy to think, what the consequence would have been to both these king-
 “ doms; and these Dissenters then were thought fit for command, both civil
 “ and military, and were no less instrumental in contributing to the re-
 “ ducing the kingdom, than any other Protestants: and to pass a bill now,
 “ to deprive them of their birth rights, (for those their good services) would
 “ surely be a most unkind return, and the worst reward ever granted to a
 “ people, so deserving. Whatever the Papists may be supposed to have de-
 “ served, the Dissenters certainly stand as clean in the face of the present go-
 “ vernment, as any other people whatsoever: and if this is all the return they
 “ are like to get, it will be but a slender encouragement, if ever occasion
 “ should require, for others to pursue their examples.

“ By the 15th, 16th, and 17th clauses of this bill, all Papists, after the
 “ 24th of March, 1703, are prohibited from purchasing any houses or tene-
 “ ments, or coming to dwell in Limerick or Galway, or the suburbs of ei-
 “ ther, and even such as were under the articles, and by virtue thereof, have
 “ ever since lived there, from staying there; without giving such security
 “ as neither those articles, nor any law heretofore in force, do require, ex-
 “ cept seamen, fishermen, and day-labourers, who pay not above forty shil-
 “ lings a year rent, and from voting for the election of members of parlia-
 “ ment,

“ ment, unless they take the oath of abjuration, which, to oblige them to,
 “ is contrary to the 9th of Limerick articles, which, as aforesaid, says the
 “ oath of allegiance, and no other, shall be imposed upon them, and, unless
 “ they abjure their religion, takes away their advowsons and rights of pre-
 “ sentation, contrary to the privilege of right, the laws of nations, and the
 “ great charter of Magna Charta; which provides, that no man shall be
 “ deffezed of his birth-right, without committing some crime against the
 “ known laws of the land in which he is born, or inhabits. And if there
 “ was no law in force, in the reign of King Charles the Second, against these
 “ things (as there certainly was not), and if the Roman Catholics of this
 “ kingdom have not since forfeited their right to the laws that then were
 “ in force (as for certain they had not) then with humble submission, all
 “ the aforesaid clauses and matters contained in this bill, intituled, an act
 “ to prevent the farther growth of Popery, are directly against the plain
 “ words and true intent and meaning of the said articles, and a violation
 “ of the public faith, and the laws made for their performance; and what I
 “ therefore hope (said he) this honourable house will consider accordingly.”

Counsellor Malone and Sir Stephen Rice, made discourses on the same side; the latter, not as a counsel, but as a petitioner, likely to be aggrieved by the passing of the said act: but in the course of the reply to the arguments of those gentlemen, it was objected, that they had not demonstrated how and when (since the making of the article of Limerick) the Papists of Ireland had addressed the queen or government, when all other subjects were so doing, or had otherwise declared their fidelity and obedience to the queen.

It was (among other things) observed, that by a proviso at the latter end of the second of those articles, none was to have or enjoy the benefit thereof, that should refuse to take the oath of allegiance.

That any right which the Papists pretended to be taken from them by the bill, was in their own power to remedy, by conforming; as in prudence, they ought to do; and that they ought not to blame any but themselves.

The next day the bill was ordered to be engrossed and sent to the lords.

The petitioners having applied to the lords also, for leave to be heard by their counsel against the bill, the same was granted, and the same counsel, upon Monday, February 28th, appeared there, and offered such-like arguments as they had made use of in the other house: they told their lordships,
 it

it had been objected by the commons, that the passing that bill would not be a breach of the articles of Limerick, as had been suggested; because, the persons therein comprized were only to be put into the same state they were in the reign of Charles the Second, and because, that in that reign there was no law in force which hindered the passing any other law thought needful for the future safety of the government.

That the commons had further sayed, that the passing this bill was needful at present, for the security of the kingdom, and that there was not any thing in the articles of Limerick that prohibited their so doing.

It was admitted, on the part of the petitioners, that the legislative power cannot be confined from altering and making such laws as shall be thought necessary, for securing the quiet and safety of the government; that in time of war or danger, or when there shall be just reason to suspect any ill designs to disturb the public peace, no articles or previous obligations, shall tie up the hands of the legislators from providing for its safety, or bind the government from disarming and securing any, who may be reasonably suspected of favouring or corresponding with its enemies, or to be otherwise guilty of ill practices: "or indeed to enact any other law," said Sir Stephen Rice, "that may be absolutely needful for the safety and advantage of the public; such a law cannot be a breach either of these, or any other like articles. But then such laws, ought to be in general, and should not single out, or affect, any one particular part or party of the people, who gave no provocation to any such law and whose conduct stood hitherto unimpeached, ever since the ratification of the aforesaid articles of Limerick. To make any law that shall single any particular part of the people out from the rest, and take from them what had been confirmed to, and intailed upon them, will be an apparent violation of the original institution of all right, and an ill precedent, to any that hereafter might dislike either the present or any other settlement, which should be in their power to alter; the consequence of which is hard to imagine."

The lord chancellor having summed up all that had been offered at the bar, the house proceeded thereupon; the bill was read through; and, to the great mortification of that unhappy party, was passed, and upon the 4th of March obtained the royal assent.

No. LIII.

Protest upon the Schism Act in the British House of Lords. P. 230.

WE cannot apprehend (as the bill recites) that great danger may ensue from the Dissenters, to the church and state, because, first by law no Dissenter is capable of a station which can be supposed to render him dangerous.

2d. And since the several sects of Dissenters differ from each other as much as they do from the established church, they can never form of themselves a national church; nor have they any temptation to set up any one sect among them: for in that case, all that the other sects can expect, is only a toleration, which they already enjoy by the indulgence of the state; and therefore, it is their interest to support the established church against any other sect that would attempt to destroy it.

II. If, nevertheless, the Dissenters were dangerous, severity is not so proper and effectual a method to reduce them to the church, as a charitable indulgence, as is manifest by experience, there having been more Dissenters reconciled to the church since the act of toleration, than in all time since the act of uniformity, to the time of the said act of toleration, and there is scarce one considerable family in England in community with the Dissenters: severity may make hypocrites, but not converts.

III. If severity could be supposed ever to be of use, yet this is not a proper time for it, while we are threatened with much greater dangers to the church and nation against which the Protestant-Dissenters have joined, and are still willing to join with us; by enforcing the laws against them, in a matter which of all others, must most sensibly grieve them, viz. the education of their children; which reduces them to a necessity either of breeding them in a way they do not approve, or of leaving them without instruction.

IV. This must be the more grievous to the Dissenters, because it was little expected from the members of the established church, after so favourable an indulgence as the act of toleration, and the repeated declarations and professions from the throne, and former parliaments, against all prosecution, which is the peculiar badge of the Roman church, which avows and practises this doctrine: and yet this has not been retaliated even upon the Papists, for all the laws made against them have the effects and just punishment of treasons,

treasons, from time to time committed against the state: but it is not pretended that this bill is designed as a punishment of any crime which the Protestant-Dissenters have been guilty of against the civil government, or that they are disaffected to the Protestant succession, as by law established, for in this their zeal is very conspicuous.

V. In all the instances of making laws, of a rigid execution of the laws against Dissenters, it is very remarkable, that the design was to weaken the church, and drive them into one common interest with the Papists, and to join them in measures tending to the destruction of it. This was the method suggested by Popish counsels, to prepare them for the two successive declarations in the time of King Charles II. and the following one issued by King James II. to ruin all our civil and religious rights: and we cannot think that the arts and contrivances of the Papists to subvert our church, are proper means to preserve it, especially at a time when we are in more danger of Popery than ever, by the designs of the pretender, supported by the mighty power of the French king, who is engaged to extirpate our religion, and by great numbers in this kingdom, who are professedly in his interest.

VI. But if the Dissenters should not be provoked by this severity, to concur in the destruction of their country and the Protestant religion, yet we may justly fear they may be driven by this bill from England, to the great prejudice of our manufactures, for, as we gained them by the persecution abroad, so we may lose them by the like proceedings at home.

Lastly, The miseries we apprehend here, are greatly enhanced by extending this bill to Ireland, where the consequences of it may be fatal; for since the number of Papists in that kingdom far exceeds the Protestants of all denominations together, and that the Dissenters are to be treated as enemies, or at least, as persons dangerous to that church and state, who have always, in all times, joined, and still would join, with the members of that church, against the common enemy of their religion; and, since the army there is very much reduced, Protestants, thus unnecessarily divided, seem to us to be exposed to the danger of another massacre, and the Protestant religion in danger of being extirpated.

And we may farther fear that the sects in Britain, whose national church is Presbyterian, will not so heartily and zealously join with us in our defence, when they see those of the same nation, same blood, and same religion, so hardly treated by us.

And

And this will still be more grievous to the Protestant-Dissenters in Ireland, because whilst the Popish priests are registered, and so indulged by law, as that they exercise their religion without molestation, that the laws are by this bill enforced against them.

Somerfet, Dorchester, Scarborough, Nottingham, Hallifax, W. Lincoln, Dorset and Middlesex, Sunderland, Bolton, Grafton, Cornwallis, Foley, Devonshire, Lincoln, Somers, Montagu, Radnor, W. Afaph, Townshend, Orford, Rockingham, Shomberg and Lempster, J. Banger, De Longueville, J. Landaff, Cowper.

No. LIV.

To the KING's Most Excellent MAJESTY.

The humble Address of the Knights, Citizens, and Burgeffes in Parliament assembled. (P. 238.)

MOST GRACIOUS SOVEREIGN,

YOUR majesty's most dutiful and loyal subjects, the commons of Ireland in parliament assembled, beseech your majesty to believe, that as none of your subjects suffered in their estates, lives, liberties, and properties, under a late Popish prince and ministry, in a greater degree than your Protestant subjects of this kingdom, so none can be more resolutely determined, to the utmost of their power, to support and defend your majesty's rightful and lawful title to the crown against the Pretender and his adherents.

The supplies which we have already given, the association we have entered into, and the resolution which your truly faithful commons have unanimously taken, upon the first intimation of the Pretender's being landed in North Britain, that whatever forces your majesty should think fit to raise, or whatever expence your majesty should think necessary for the defence of the kingdom, this house would enable your majesty to make good the same, will, we hope be accepted by your majesty as the most convincing proofs of our being entirely and affectionately devoted to your service, and of our having no view of safety or happiness but from your government and protection.

And

And as your loyal commons have already done, and resolve still to do, whatever may appear further necessary to defeat the designs of the Pretender and his friends, so they think themselves indispensably obliged, in discharge of that duty, to lay before your sacred majesty and their country the means by which the cause of the Pretender has been promoted in this kingdom, and to point out to your majesty the chief authors of those pernicious and dangerous counsels, which had brought your majesty's succession and the Protestant interest in this kingdom into the most imminent danger. Your faithful commons do therefore humbly take leave to acquaint your majesty, that soon after the meeting of the late parliament in this kingdom, the then House of Commons received information, that many Irish Papists had been, and continued to be daily shipped off from Dublin, and other ports, for the service of the Pretender; which traitorous practice, and the remissness observed in discovering or preventing it, together with the countenance shewn to those, who were remarkable for nothing but their disaffection to your majesty's succession and the late happy revolution, made such an impression on that truly loyal House of Commons, that they humbly addressed the late queen to remove one of the great supporters of the Pretender's interest in this kingdom out of her service, and also ordered heads of a bill to be brought in to attain the Pretender of high treason, which was soon after done; but the house was prevented proceeding thereon by an unseasonable prorogation, notwithstanding they had, with great unanimity and cheerfulness, granted such supplies as were desired for the support of the government.

That parliament being prorogued in so unusual a manner, and for no other reason, that your commons can apprehend, but the warm zeal they expressed for your majesty's succession, and their resolution to enquire into, and, as far as in them lay, to prevent the designs of those who endeavoured to defeat it; the next step taken was to advise her late majesty to break a great part of her army in this kingdom, which was accordingly done in an extraordinary manner, several regiments being broke, without any regard to their services, or the dates of their commission, and chiefly, as we conceive, for the steady adherence to your majesty's interest and known aversion to the Pretender.

Your faithful commons do, therefore, humbly offer it to your majesty as their unanimous opinion, that the persons, who advised the irregular breaking of a great part of the army in this kingdom, immediately after the unseasonable prorogation of the late parliament, when heads of a bill to attain the

Pretender were under consideration of the then House of Commons, were enemies to the Protestant succession, and designed to bring in the Pretender and popery.

And as we have presumed to inform your majesty of some of the many steps, which were taken to accomplish those traitorous designs, so we cannot, without unfaithfulness to your majesty, and those whom we represent, forbear to acquaint your majesty, that your commons, considering the whole conduct of the Right Honorable Arthur Earl of Anglesey, and the great influence he had in the management of the affairs in this kingdom, are humbly of opinion, that the said Arthur Earl of Anglesey was one of the principal advisers of her late majesty to break a great part of the army, and prorogue the late parliament in this kingdom, and therein gave pernicious counsel to her majesty, and is an enemy to your majesty and the Protestant interest of Ireland.

Your loyal commons do, therefore, most humbly and earnestly entreat your majesty, that you will be graciously pleased, for the security of your government and this nation, to remove, at this critical juncture, the said Arthur Earl of Anglesey from your council and office of one of the vice-treasurers in this kingdom.

No. LV.

The Sentiments of a Church-of-England-Man with respect to Government, by
Dr. JONATHAN SWIFT. (P. 241.)

WE look upon it as a very just reproach, though we cannot agree where to fix it, that there should be so much violence and hatred in religious matters among men who agree in all fundamentals, and only differ in some ceremonies, or, at most, mere speculative points. Yet is not this frequently the case between contending parties in a state? For instance, do not the generality of *Whigs* and *Tories* among us profess to agree in the same *fundamentals*; their loyalty to the king, their abjuration of the *pretender*, the settlement of the crown in the Protestant line, and a revolution-principle? their affection to the church established, with toleration of Dissenters? Nay, sometimes they go farther, and pass over into each other's principles; the *Whigs* become great asserters of the prerogative, and the *Tories*, of the people's

ple's liberty ; these crying down almost the whole set of bishops, and those defending them : so that the differences fairly stated, would be much of a sort with those in religion among us, and amount to little more than, *who should take place, or go in and out first, or kiss the king's hand* : and what are these but a few *court-ceremonies* ? or, *who should be in the ministry* ; and what is that to the body of the nation, but a mere *speculative point* ? Yet I think it must be allowed, that no religious sects ever carried their mutual aversions to greater heights than our state-parties have done, who, the more to inflame their passions, have mixed religious and civil animosities together ; borrowing one of their appellations from the church, with the addition of *high* and *low*, how little soever their disputes relate to the term, as it is generally understood.

I now proceed to deliver the sentiments of a *church-of-England-man*, with respect to government.

He doth not think the church of England so narrowly calculated, that it cannot fall in with any regular species of government ; nor doth he think *any one regular species of government more acceptable to God than another*. The three generally received in the *schools* have, all of them, their several perfections, and are subject to their several depravations. However, few states are ruined by any defect in their institution, but generally by the *corruption of manners*, against which the *best institution* is *no longer a security*, and without which a very ill one may subsist and flourish ; whereof there are two pregnant instances now in Europe. The first is, the *aristocracy* of Venice ; which, founded upon the wisest maxims, and digested by a great length of time, hath in our age admitted so many abuses, through the degeneracy of the nobles, that the period of its duration seems to approach.

The other is the united republic of the *States-General*, where a vein of temperance, industry, parsimony, and a public spirit running through the whole body of the people, hath preserved an infant commonwealth of an untimely birth and sickly constitution, for above an hundred years, through so many dangers and difficulties, as a much more healthy one could have never struggled against without those advantages.

Where security of person and property are preserved by laws, which none but the *whole* can repeal, there the great ends of government are provided for, whether the administration be in the hands of *one* or of *many*. Where any one *person* or *body* of men, who do not represent the *whole*, seize into
 5 G 2 their

their hands the power in the last resort, there is properly no longer a government, but what Aristotle and his followers call the *abuse* and *corruption* of one. This distinction excludes arbitrary power, in whatever numbers; which, notwithstanding all that Hobbes, Filmer, and others, have said to its advantage, I look upon as a greater evil than *anarchy* itself; as much as a *savage* is in a happier state of life, than a *slave* at the oar.

It is reckoned ill manners, as well as unreasonable, for men to quarrel upon difference in opinion; because that is usually supposed to be a thing which no man can help in himself. But this I do not conceive to be an universal infallible maxim, except in those cases where the question is pretty equally disputed among the learned and the wise. Where it is otherwise, a man of tolerable reason, some experience, and willing to be instructed, may apprehend he has got into a wrong opinion, though the whole course of his mind and inclination would persuade him to believe it true: he may be convinced that he is in an error, though he does not see where it lies, by the bad effects of it in the common conduct of his life, and by observing those persons, for whose wisdom and goodness he hath the greatest deference, to be of a contrary sentiment. According to Hobbes's comparison of *reasoning* with *casting up accounts*, whoever finds a mistake in the *sum total* must allow himself out, though, after repeated trials, he may not see in which article he has misreckoned. I will instance in one opinion, which I look upon every man obliged in conscience to quit, or in prudence to conceal; I mean, that whoever argues in defence of absolute power in a single person, though he offers the old plausible plea, that it is *his opinion, which he cannot help, unless he be convinced*, ought in all free states to be treated as the common enemy of mankind. Yet this is laid as a heavy charge upon the *clergy* of the two reigns before the *revolution*, who, under the terms of *passive obedience* and *non-resistance*, are said to have preached up the unlimited power of the prince; because they found it a doctrine that pleased the court, and made way for their preferment. And I believe, there may be truth enough in this accusation to convince us, that human frailty will too often interpose itself among persons of the holiest function. However, it may be offered in excuse for the clergy, that in the best societies there are some ill members, which a corrupted court and ministry will industriously find out and introduce. Besides, it is manifest, that the greater number of those who held and preached this doctrine, were misguided by equivocal terms, and by perfect ignorance in the

the principles of government, which they had not made any part of their study. The question originally put, and as I remember to have heard it disputed in public schools, was this, *Whether, under any pretence whatsoever, it may be lawful to resist the supreme magistrate?* which was held in the negative; and this is certainly the right opinion. But many of the clergy, and other learned men, deceived by a dubious expression, mistook the *object* to which *passive obedience* was due. By the *supreme magistrate* is properly understood the *legislative* power, which in all governments must be absolute and unlimited. But the word *magistrate* seeming to denote a *single person*, and to express the *executive* power, it came to pass, that the obedience due to the *legislature* was for want of knowing or considering this easy distinction, misapplied to the *administration*. Neither is it any wonder, that the clergy or other well-meaning people should fall into this error which deceived Hobbes himself so far, as to be the foundation of all the political mistakes in his books; where he perpetually confounds the *executive* with the *legislative* power; though all well instituted states have ever placed them in different hands; as may be obvious to those, who know any thing of Athens, Sparta, Thebes, and other republics of Greece, as well as the greater ones of Carthage and Rome.

Besides, it is to be considered, that when these doctrines began to be preached among us, the kingdom had not quite worn out the memory of that horrid *rebellion*, under the consequences of which it had groaned almost twenty years. And a *weak prince*, in conjunction with a succession of most prostitute ministers, began again to dispose the people to new attempts, which it was, no doubt, the clergy's duty to endeavour to prevent; though some of them, for want of knowledge in temporal affairs, and others, perhaps, from a worse principle, proceeded upon a topic, that, strictly followed, would inflame all mankind.

Among other theological arguments made use of in those times in praise of monarchy, and justification of absolute obedience to a prince, there seemed to be one of a singular nature. It was urged, that *heaven* was governed by a *monarch*, who had none to controul his power, but was absolutely obeyed: then it followed, that earthly governments were the more perfect, the nearer they imitated the government in heaven. All which I look upon as the strongest argument against *despotic* power that ever was offered; since no reason can possibly be assigned, why it is best for the world, that God Almighty

Almighty hath such a power, which doth not directly prove that no mortal man should ever have the like.

But though a *church-of-England-man* thinks every species of government equally *lawful*, he does not think them equally *expedient*; or for every country indifferently. There may be something in the climate, naturally disposing men towards one sort of obedience; as it is manifest all over *Asia*, where we never read of any commonwealth, except some small ones on the western coasts established by the Greeks. There may be a great deal in the situation of a country, and in the present *genius* of the people. It hath been observed, that the temperate climates usually run into moderate governments, and the extremes into despotic power. It is a remark of Hobbes, that the youth of England are corrupted in their principles of government, by reading the authors of Greece and Rome, who writ under commonwealths. But it might have been more fairly offered for the honor of liberty, that while the rest of the known world was over-run with the arbitrary government of single persons, *arts* and *sciences* took their rise, and flourished, only in those few small territories where the people were *free*. And though *learning* may continue after *liberty* is lost, as it did in Rome, for a while, upon the foundations laid under the commonwealth, and the particular patronage of some emperors, yet it hardly ever began under a *tyranny* in any nation: because *slavery* is, of all things, the greatest clog and obstacle to *speculation*. And, indeed, arbitrary power is but the first natural step from *anarchy*, or the *savage life*; the adjusting *power* and *freedom* being an effect and consequence of maturer thinking: and this is no where so duly regulated as in a limited monarchy; because I believe it may pass for a maxim in state, that *the administration cannot be placed in too few hands*, nor the *legislature in too many*. Now, in this material point the constitution of the English government far exceeds all others at this time on the earth; to which the present establishments of the *church* doth so happily agree, that, I think, whoever is an enemy to *either*, must of necessity be so to *both*.

He thinks as our monarchy is constituted, an *hereditary* right is much to be preferred before *election*: because the government here, especially by some late amendments, is so regularly disposed in all its parts, that it almost *executes* itself; and therefore, upon the death of a prince among us, the administration goes on without any rub or interruption. For the same reasons, we have less to apprehend from the *weakness* or *fury* of our monarchs, who
have

have such wise councils to guide the first, and laws to restrain the other. And therefore this hereditary right should be kept so sacred, as never to break the succession, unless where the preserving it may endanger the constitution; which is not from any intrinsic merit or unalienable right in a *particular family*, but to avoid the consequences that usually attend the ambition of competitors, to which elective kingdoms are exposed; and which is the only obstacle to hinder them from arriving at the greatest perfection that government can possibly reach. Hence appears the absurdity of that distinction between a king *de facto* and one *de jure*, with respect to us. For every *limited* monarch is a king *de jure*; because he governs by the consent of the *whole*, which is authority sufficient to abolish all precedent right. If a king come in by *conquest*, he is no longer a *limited* monarch; if he afterwards consent to limitations, he becomes immediately king *de jure*, for the same reason.

The great advocates for *succession*, who affirm it ought not to be violated upon any regard or consideration whatsoever, do insist much upon one argument, that seems to carry little weight. They would have it, that a *crown* is a prince's birth-right, and ought at least to be as well secured to him and his posterity, as the inheritance of any private man; in short, that he has the same title to his kingdom, which every individual has to his property. Now, the consequence of this doctrine must be, that as a man may find several ways to waste, mispend, or abuse his patrimony, without being answerable to the laws; so a king may in like manner do what he will with *his own*; that is, he may squander and misapply his revenues, and even alienate the crown, without being called to an account by his subjects. They allow such a prince to be guilty indeed of much folly and wickedness; but for these he is *answerable to God*, as every private man must be that is guilty of mismanagement in his own concerns. Now, the folly of this reasoning will best appear, by applying in it a parallel case. Should any man argue, that a physician is supposed to understand his own art best; that the law protects and encourages his profession; and therefore, although he should manifestly prescribe *poison* to all his patients, whereof they should immediately die, he cannot be justly punished, but is answerable only to God: or should the same be offered in behalf of a divine, who would preach against religion and moral duties: in either of these two cases every body would find out the sophistry, and presently answer, that although common men are not exactly skilled

skilled in the composition or application of medicines, or in prescribing the limits of duty ; yet the difference between *poisons* and *remedies* is easily known by their effects ; and common reason soon distinguishes between *virtue* and *vice* : and it must be necessary to forbid both these the further practice of their professions, because their crimes are not purely personal to the physician or the divine, but destructive to the public. All which is infinitely stronger in respect to a prince, in whose good or ill conduct the happiness or misery of a whole nation is included : whereas it is of small consequence to the public, farther than example, how any private person manageth his property.

But granting that the right of a lineal successor to a crown were upon the same foot with property of a subject ; still it may at any time be transferred by the legislative power, as other properties frequently are. The supreme power in a state can *do no wrong* ; because whatever that doth, is the action of all ; and when the *lawyers* apply this maxim to the *king*, they must understand it only in that sense, as he is administrator of the supreme power : otherwise it is not universally true, but may be controlled in several instances, easy to produce.

And these are the topics we must proceed upon to justify our exclusion of the young *pretender* in France ; that of his suspected birth being merely popular, and therefore not made use of, as I remember, since the revolution, in any speech, vote, or proclamation, where there was occasion to mention him.

As to the *abdication* of King James, which the advocates on that side look upon to have been forcible and unjust, and consequently void in itself, I think a man may observe every article of the English church, without being in much pain about it. It is not unlikely, that all doors were laid open for his departure, and perhaps not without the privity of the Prince of Orange ; as reasonably concluding, that the kingdom might be better settled in his absence. But to affirm he had any cause to apprehend the same treatment with his *father*, is an improbable scandal flung upon the nation by a few bigotted French scribblers, or the invidious assertion of a ruined party at home in the bitterness of their souls ; not one material circumstance agreeing with those in 1648 ; and the greatest part of the nation having preserved the utmost horror for that ignominious *murder*. But whether his removal were caused by his own *fears*, or other men's *artifices*, it is manifest to me, that, supposing the throne to be vacant, which was the foot the nation went upon,
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the body of the people was thereupon left at liberty to chuse what form of government they pleased, by themselves, or their representatives.

The only difficulty of any weight against the proceedings at the revolution, is an obvious objection, to which the writers upon that subject have not yet given a direct or sufficient answer; as if they were in pain at some consequences, which they apprehend those of the contrary opinion might draw from it. I will repeat this objection as it was offered me some time ago; with all its advantages, by a very pious, learned, and worthy gentleman of the nonjuring party.*

The force of his argument turned upon this, that the laws made by the supreme power cannot otherwise than by the supreme power be annulled; that this consisting in England of a king, lords, and commons, whereof each have a negative voice, no two of them can repeal or enact a law, without consent of the third; much less may any one of them be entirely excluded from its part of the legislature by a *vote* of the other two: that all these maxims were openly violated at the revolution; where an assembly of the *nobles* and *people*, not summoned by the king's writ, (which was an essential part of the constitution), and consequently no lawful meeting, did, merely upon their own authority, declare the king to have abdicated the throne vacant; and gave the crown by vote to a *nephew*, when there were three children to inherit; though by the fundamental laws of the realm the next heir is immediately to succeed. Neither doth it appear, how a prince's *abdication* can make any other sort of vacancy in the throne, than would be caused by his death; since he cannot abdicate for his children, (who claim their right of succession by act of parliament), otherwise than by his own consent, in form, to a bill from the two houses.

And this is the difficulty that seems chiefly to stick with the most reasonable of those, who, from a mere scruple of conscience, refuse to join with us upon the revolution-principle; but for the rest are, I believe, as far from loving arbitrary government as any others can be; who are born under a free constitution, and are allowed to have the least share of common good sense.

In this objection there are two questions included, First, Whether, upon the foot of our constitution, as it stood in the reign of the late King James, a king of England may be deposed? The second is, Whether the people of

* Mr. Nelson, author of the Feasts and Fasts of the Church of England.

England, convened by their own authority, after the king had withdrawn himself in the manner he did, had power to alter the succession?

As for the first, it is a point I shall not presume to determine; and shall therefore only say, that to any man who holds the negative, I would demand the liberty of putting the case as strongly as I pleased. I will suppose a prince limited by laws like ours, yet, running into a thousand caprices of cruelty, like Nero or Caligula; I will suppose him to murder his mother and his wife; to commit incest, to ravish matrons, to blow up the senate, and burn his metropolis; openly to renounce God and Christ, and worship the Devil: these, and the like exorbitancies, are in the power of a single person to commit without the advice of a ministry, or assistance of an army. And if such a king as I have described, cannot be deposed but by his own consent in parliament, I do not well see how he can be *resisted*; or what can be meant by a *limited* monarchy; or what signifies the people's consent in making and repealing laws, if the person who administers hath no tie but conscience, and is answerable to none but God. I desire no stronger proof that an opinion must be false, than to find very great absurdities annexed to it; and there cannot be greater than in the present case; for it is not a bare speculation, that kings may run into such enormities as are above mentioned; the practice may be proved by examples, not only drawn from the first Cæsars, or latter emperors, but many modern princes of Europe; such as Peter the Cruel, Philip II. of Spain, John Basilovits of Muscovy: and, in our own nation, King John, Richard III. and Henry VIII. But there cannot be equal absurdities supposed in maintaining the contrary opinion; because it is certain, that princes have it in their power to keep a majority on their side by any tolerable administration, till provoked by continual oppressions; no man indeed can then answer where the madness of the people will stop.

As to the second part of the objection, Whether the people of England, convened by their own authority, upon King James's precipitate departure, had power to alter the succession.

In answer to this, I think it is manifest from the practice of the wisest nations, and who seem to have had the truest notions of freedom, that when a prince was laid aside for mal-administration, the *nobles* and *people*, if they thought it necessary for the public weal, did resume the administration of the supreme power, (*the power itself having been always in them*), and did not only alter the succession, but often the very form of government too: because

cause they believed there was no natural right in *one man* to govern another, but that *all* was by *institution, force, or consent*. Thus, the cities of Greece, when they drove out their tyrannical kings, either chose others from a new family, or abolished the kingly government, and became free states. Thus the Romans, upon the expulsion of Tarquin, found it inconvenient for them to be subject any longer to the *pride, the lust, the cruelty and arbitrary will of single persons*; and therefore, by *general consent, entirely altered the whole frame of their government*. Nor do I find the proceedings of either, in this point, to have been condemned by any historian of the succeeding ages.

But a great deal hath been already said by other writers upon this invidious and beaten subject; therefore I shall let it fall; though the point is commonly mistaken, especially by the lawyers; who, of all others, seem least to understand the nature of government in general; like under-workmen, who are expert enough at making a single wheel in a clock, but are utterly ignorant how to adjust the several parts, or regulate the movements.

To return, therefore, from this digression: It is a *church-of-England-man's* opinion, that the freedom of a nation consists in an *absolute unlimited legislative power* wherein the *whole body of the people are fairly represented*, and in an *executive duly limited*; because on this side likewise there may be dangerous degrees, and a very ill extreme. For when two parties in a state are pretty equal in *power, pretensions, merit, and virtue*, (for these two last are, with relation to parties and a court, quite different things), it hath been the opinion of the best writers upon government, that a prince ought not in any sort to be under the guidance or influence of either; because he declines by this means, from his office of presiding over the *whole*, to be the head of a *party*: which, besides the indignity, renders him answerable for all public mismanagements, and the consequences of them; and in whatever state this happens, there must either be a weakness in the prince or ministry, or else the former is too much restrained by the nobles, or those who represent the people.

To conclude: *A church-of-England-man may, with prudence and a good conscience, approve the professed principles of one party more than the other, according as he thinks they best promote the good of church and state; but he will never be swayed by passion or interest to advance an opinion, merely because it is that of the party he most approves; which one single principle he looks upon as the root of all our civil animosities. To enter into a party, as*

*into an order of Friars, with so resigned an obedience to superiors, is very unfuitable both with the civil and religious liberties we so zealously assert. Thus the understandings of a whole senate are often enslaved by three or four leaders on each side; who, instead of intending the public weal, have their hearts wholly set upon ways and means how to get or to keep employments. But, to speak more at large, how has this spirit of fact mingled itself with the mass of the people, changed their nature and manners, and the very genius of the nation? broke all the laws of charity, neighbourhood, alliance, and hospitality, destroyed all ties of friendship, and divided families against themselves? And no wonder it should be so, when, in order to find out the character of a person, instead of enquiring whether he be a man of virtue, honor, piety, wit, good sense, or learning; the modern question is only, Whether he be a *Whig* or a *Tory*? under which terms all good and ill qualities are included.*

Now, because it is a point of difficulty to chuse an exact middle between two ill extremes, it may be worth enquiring, in the present case, which of these a wise and good man would rather seem to avoid. Taking therefore their own good and ill characters, with due abatements and allowances for partiality and passion, I should think, that, in order to preserve the constitution entire in church and state, whoever hath a true value for both would be sure to avoid the extremes of *Whig* for the sake of the former, and the extremes of *Tory* on account of the latter.

I have now said all that I could think convenient upon so nice a subject, and find I have the ambition with other common reasoners, to wish at least that both parties may think me *in the right*; which would be of some use to those who have any virtue left, but are blindly drawn into the extravagancies of either, upon false representations, to serve the ambition or malice of designing men, without any prospect of their own. But if that is not to be hoped for, my next wish should be, that both might think me *in the wrong*: which I would understand as an ample justification of myself, and a sure ground to believe, that I have proceeded at least with impartiality, and perhaps with truth.

No. LVI.

The late Duke of Leeds's Reasons for protesting against a Vote of the House of Lords in England, which declared a Trial before the House of Lords in Ireland to be coram non Judice. (Page 248.)

I. BECAUSE upon the conquest of Ireland by Henry the Second, he introduced the laws of England into that kingdom, and sent them over the *modus tenendi parlamenta, in terminis*, the same with that of England: in which record it is said, that such things may be examined and corrected *in pleno parlamento & non alibi*.

II. Because in the 30th year of King Henry the Third it was provided, that all the laws and customs which are enjoyed in England shall be in Ireland, and the said lands shall be subject thereto, and governed thereby, *sicut Dominus Johannes cum ultimo esset in Hibernia statuit & fieri mandavit; & quod omnia brevia de communi jure quæ currunt in Anglia similiter currant in Hibernia*.

III. Because it appears by other antient records, *Quod terra Hiberniæ, intra se habet omnes & omnimodas curias prout in Anglia*.

IV. Because King Edward the Third, in the 29th year of his reign, ordained, for the quiet and good government of the people of Ireland, that all cases whatsoever, errors in judgments, records, and process in the courts of Ireland, shall be corrected and amended in the parliament of Ireland.

V. Because a conqueror, by the laws of England, and of nations, having power to introduce what laws he will in the conquered country: And Henry the Second, pursuant to that power, having introduced the laws of England, and particularly that of holding parliaments in Ireland, the House of Lords in parliament in Ireland, may proceed to hear and determine judicially such matters, which shall be brought before them, in the same manner as the lords in parliament in England.

VI. Because, pursuant to many concessions made by King Henry the Second, King John, King Henry the Third, and other kings of England, the lords of parliament of Ireland have proceeded to correct and amend errors in judgment, and decrees in the courts of Ireland; as appears by the several precedents certified over to your lordships, and their judgments never before called

called in question: many of them being irregular, and therefore presumed to have been by a good and lawful jurisdiction; otherwise they would have been, by our ancestors, who were zealous assertors of their rights, long before this, called in question.

VII. The order declaring, that the appeal was, *coram non judice*, and null and void, will call all other judgments and decrees in question, under which many estates have been purchased, settled, and enjoyed, which will be of fatal consequences to many families, and create discontent and dissatisfaction in that kingdom.

VIII. Because the declaring the said appeal to be *coram non judice*, and null and void, strikes at and tends to the destruction of this house: for Ireland having *omnes & omnimodas curias prout in Anglia*, must include the high court of parliament; and being an exact picture of the high court of parliament in England, if they cannot judicially hear and determine appeals, writs of error, and impeachments, it may be from thence alledged we cannot here.

IX. Because the peers of Ireland had little else left them but their judicature, which, if taken away, will be of little esteem there, many of the peers of England having some of their titles of honor from that kingdom.

X. Because this resolution strikes at and abridges the king's prerogative in Ireland; all appeals and writs of error in parliament being *coram rege in parlamento*. And therefore these words, *coram non judice*, take from the king the judicial power, which is given him there.

XI. Because it is the glory of the English laws and the blessing attending the Englishmen, that they have justice administered at their doors, and not to be drawn, as formerly, to Rome by appeals, which greatly impoverished the nation: and by this order, the people of Ireland must be drawn from Ireland hither, whensoever they receive any injustice from the chancery there, by which means poor men must be trampled on, as not being able to come over to seek justice.

XII. The danger of altering, changing, or lessening a constitution (for above five hundred years unshaken, or so much as called in question,) in any one thing, the custom and usage of courts being the law of courts, may occasion the destruction of the whole. The judicial power of the House of Peers of Ireland, in criminal causes, by way of impeachment, and otherwise, may, by the same reason, be called in question, as their judicature in civil causes, which will encourage evil disposed men, especially those in employment

ment in that kingdom, who are generally very arbitrary, to act wickedly : and the better we preserve the constitution of Ireland, and of the Plantations dependent on England, the better we shall preserve our own ; and they will be a barrier to ours, to prevent any invasions of theirs. And since the kings of England have, in all times in matters relating to the revenue, made their grants, by letters patent, and not only impowered the parliament of Ireland to hear, correct, reform, and amend them, but also acquiesced in their judgments, it ought not now to be questioned,

XIII. Because this taking away the jurisdiction of the House of Lords in Ireland, may be the means to disquiet the Lords there, and disappoint the King's affairs :

XIV. Because the judicial power of the House of Lords of Ireland is, in no respect, altered by an act of parliament. The statute of the 10th of Henry 7th, cap. 4. called Poyning's Law, only directs a new form of passing bills into laws, but alters nothing of the judicial power ; but neither allows or enables them to make the laws as they please : and this will as well hold against the jurisdiction of this House, which ought not to be suffered.

LEEDS.

No. LVI.

A Letter from Primate BOULTER to the Bishop of London, relating to the Dissenters Complaints of Tythes. (P. 278.)

MY LORD,

Dublin, March 13, 1728.

AS we have had reports here that the Irish gentlemen in London would have the great burthen of tithes thought one of the chief grievances, that occasion such numbers of the people of the north going to America, I have for some time designed to write to your lordship on that subject.

But a memorial lately delivered in here by the Dissenting ministers of this place, containing the causes of this desertion, as represented to them by the letters of their brethren in the north, (which memorial we have lately sent over to my lord lieutenant), mentioning the oppression of the ecclesiastical courts about tithes as one of their great grievances : I found myself under a necessity

necessity of troubling your lordship on this occasion with a true state of that affair, and of desiring your lordship to discourse with the ministry about it.

The gentlemen of this country have ever since I came hither been talking to others, and persuading their tenants, who complained of the excessiveness of their rents, that it was not the paying too much rent, but too much tithe that impoverished them: and the notion soon took among the Scotch Presbyterians, as a great part of the Protestants in the north are, who it may easily be supposed do not pay tithes with great cheerfulness. And indeed I make no doubt but the landlords in England might with great ease raise a cry amongst their tenants of the great oppression they lye under by paying tithes.

What the gentlemen want to be at is, that they may go on raising their rents, and that the clergy should still receive their old payments for their tithes. But as things have happened otherwise, and they are very angry with the clergy, without considering that it could not happen otherwise than it has, since if a clergyman saw a farm raised in its rent e. g. from 10 to 20*l.* per annum, he might be sure his tithe was certainly worth double what he formerly took for it. Not that I believe the clergy have made a proportionable advancement in their composition for their tithes to what the gentlemen have made in their rents. And yet it is upon this rise of the value of tithes that they would persuade the people to throw their distresses.

In a conference I had with the Dissenting ministers here some weeks ago, they mentioned the raising the value of the tithes beyond what had been formerly paid, as a proof that the people were oppressed in the article of tithes. To which I told them, that the value of tithes did not prove any oppression, except it were proved, that that value was greater than they were really worth, and that even then, the farmer had his remedy by letting the clergy take it in kind.

And there is the less in this argument, because the fact is, that about the years 1694 and 1695, the lands here were almost waste and unsettled, and the clergy in the last distress for tenants for their tithes, when great numbers of them were glad to let their tithes at a very low value, and that during incumbency, for few would take them on other terms; and as the country has since settled and improved, as those incumbents have dropped off, the tithe of those parishes has been considerably advanced without the least oppression, but I believe your lordship will think not without some grumbling.

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The same, no doubt, has happened where there have been careless or needy incumbents, and others of a different character that have succeeded them.

I need not mention to your lordship what I have been forced to talk to several here, that if a landlord takes too great a portion of the profits of a farm for his share by way of rent, (as the tithe will light on the tenants share) the tenant will be impoverished: but then it is not the tithe but the increased rent that undoes the farmer. And indeed in this country, where I fear the tenant hardly ever has more than one third of the profits he makes of his farm for his share, and too often but a fourth or perhaps a fifth part, as the tenant's share is charged with the tithe, his case is no doubt hard, but it is plain from what side the hardship arises.

Nor need I take notice to your lordship of what I have been forced to talk very fully here, that if the land were freed from the payment of tithe, the tenant could not be the better for it, but the landlord, who would in that case raise his rent accordingly, and would probably receive 15 or 20s. for additional rent, where the clergyman now receives 10s. for tithe; and that it would be the same in proportion if the tithes were fixed to some modus below their real value, which I am apprehensive the gentlemen may attempt to do by a bill next sessions. As for the complaints of the oppressions in the ecclesiastical courts, your lordship knows the dilatoriness and expensiveness of suits there. And yet till within seven or eight years all suits for tithes, &c. were there; since that time by degrees the clergy have sued, in cases of consequence, in the Exchequer; but for dues of small value, they still are sued for there. But in the main nobody sues in those courts that can by fair means get any thing near his due; since, when the clergy have put persons into those courts, the defendants either give them all the delay and trouble they can, or else stand under contempt for never appearing, and let things go to the last extremity, and stand excommunicated; and possibly when a writ *de excommunicato capiendo* is taken out, and they find they have 7 or 8*l.* to pay, they run away; for the greatest part of the occupiers of the land here are so poor, that an extraordinary stroke of 8 or 10*l.* falling on them is certain ruin to them.

I can assure your lordship that every visitation I have held here, which is annually, the clergy have made as great complaints of the hardships put upon them by the people in getting in their tithes, especially their small dues, as the people can of any oppression from the clergy. And to my knowledge

many of them have chose rather to lose their small dues, than to be at a certain great expence in getting them, and at an uncertainty whether the farmer would not at last run away without paying any thing. And I can affirm to your lordship, that the laity here are as troublesome and vexatious as they can be in England ; and from time to time fight a cause of no great value through the bishop's court, then through the archbishop's, and thence to the delegates, where the clergy sue for what is most evidently their due.

I would not be understood by this to deny that any clergyman or farmer of tithes ever did a hard thing by the people, but that there is not frequent occasion of complaint against them.

However last sessions we passed a bill here for the more easy recovery of small tithes, &c. which I believe will remove this cause of complaint, since I believe very few will spend some pounds to recover that in a spiritual court, which may be recovered for some shillings in another way.

Upon occasion of the conference I had some weeks ago with the Dissenting ministers here, I have enquired of several of the clergy, that are understanding and fair men, who have assured me that as far as their knowledge reaches, they believe that generally the farmers do not pay more than two-thirds of the real value of their tithes.

Another thing they complain of in their memorial is, the trouble that has been given them about their marriages and their school-masters. As to this I told them, that for some time they had not been molested about their marriages ; and that as to their school-masters, I was sure they had met with very little trouble on that head, since I had never heard any such grievance so much as mentioned till I saw it in their memorial.

Another matter complained of is the sacramental test, in relation to which I told them, the laws were the same in England.

As for other grievances they mention, such as raising the rents unreasonably, the oppression of justices of the peace, senechals, and other officers in the country, as they are no ways of an ecclesiastical nature, I shall not trouble your lordship with an account of them, but must desire your lordship to talk with the ministry on the subject I have now wrote about, and endeavour to prevent their being prepossessed with any unjust opinion of the clergy, or being disposed, if any attempt should be made from hence to suffer us to be stripped of our just rights.

I am, &c.

No.

No. LVII.

The Memorial of Dr. Lucas. (Page 304.)

To his Excellency William Earl of Harrington, Lord Lieutenant General and
General Governor of Ireland.

MAY IT PLEASE YOUR EXCELLENCY!

THE love and duty I owe my sovereign, and the regard I bear his governments and dominions, in general, those of this my native country, in particular, which are most intimately and inseparably connected and linked together, in one common bond of affection, interest and allegiance, prompt me to use all just and lawful means to obtain an effectual redress of the capital grievances of this kingdom, and city, which no good subject, or good governor can overlook or slight, consistent with the principles of his moral, religious and political obligations to our system of civil society.

These motives, which your excellency must be too wise and just to condemn, or discourage, first induced me to contend with my fraternity, for a reformation of my profession in the years 1735, and 1741, and since, with my superiors, for the restoration of the rights and liberties of the commons and citizens of this broken and reduced metropolis.

If your excellency will take the trouble of perusing this and the following address to the lords justices, with the dedication to the king, I flatter myself, you will see such causes assigned for the courses, I have taken, to obtain some redress of the heavy grievances of which I complain, that, I must hope, you will not only pardon the presumption of once more addressing, or attempting to address your excellency in this manner, but allow there is some degree of merit in struggling through the many dangers and difficulties that have been opposed to me, for the bringing or endeavouring to bring such important truths to the royal ear, as, if regarded must tend to the unspeakable honor and advantage of the king and people of these realms, in the security and welfare of each of which, I look upon myself to be equally interested and concerned.

However, my Lord, as the same necessity which first urged me to lay our complaints before you, still strongly subsists, I should be wanting in the duty of a citizen, and a subject, and fall short of the character I have endeavoured to establish in life, if I should slacken in my just application to obtain a restora-

tion of our rights and liberties; and therefore, regardless of the manifold disadvantages of station, birth and education, under which I labor, and of the numberless misrepresentations made of me, by designing men, I presume to make one effort more to bring the complaints of Dublin before my royal sovereign; of the greatness and integrity of whose soul I am so fully convinced, that I am firmly persuaded he wants but due information to redress the grievances of his subjects.

I am well aware, my lord, that some of those great men, who have thought fit to represent me to your excellency, heretofore, as a madman, will now set me forth in more hateful colors. It is become much the fashion, of late, to vilify me, to represent me as a riotous, tumultuous incendiary, a disaffected person, a condemner of government, of magistracy, even of majesty.

To acquit myself of these foul imputations, I must beg your excellency will permit me to lay before you a short review of the course I have taken to obtain justice and law, the common benefits of the constitution of this my country.

When I first discovered the invasions made on the rights and privileges of the commons and citizens of this city, I tried all just and moderate means to set things to rights within the city; and though the invaders gave me all manner of unjust, forcible, and cruel opposition, and have now scarce left so much of the traces of our constitution as might demonstrate we had any, I still preserve the respect due to the magistracy of the city, though I can look upon it only as *de facto*, not *de jure*.

Failing of redress within the city courts, I had recourse, with my fellows, to the courts of law, and though we were attended with no better success there, I can defy mine enemies to shew the instance, in which I failed to pay due respect to the judges of our courts.

I have it is true, my lord, taken the benefits our constitution admits, of appealing against, or complaining of, the proceedings of some of these judges, to an higher power, to your excellency, as the representative of his majesty; whether or no the terms in which I did so, were wrong or injurious, I humbly submit to your excellency's recollection.

One of the most sensible happinesses of our system of government is, that every person who does but think himself aggrieved by any branch of the subordinate administration, has the privilege of appealing, or complaining, to a superior, in a regular gradation from one to another, even to the supreme magistrate.

magistrate. This is a privilege too sacred for any loyal subject to give up, for any good governor to suppress.

When I first claimed the benefits of this privilege, and layed before your excellency the complaints of Dublin, it must be confessed, you heard me with patience, with humanity, with a tender feeling of the sufferings of the king's subjects, and some pain for the shocks given our constitution. What unhappy misrepresentations of facts, or person, or what unauthorised arrogance or insolence of servants, prevented your excellency's taking the steps in this affair, that your wisdom and justice promised, or afterwards excluded me the access to your excellency's presence, I cannot take upon me to point out; but, as the same principles of justice and law bind alike the small and the great; when I judged it expedient, and my bounden duty, to appeal to our sovereign, I thought it necessary to let him see, that I had recourse to the highest power here, before I presumed to trouble his majesty, which then, not before, gave me the subject's right to apply for relief to the throne.

I addressed the lords justices of this kingdom, in your excellency's absence. I presented them with the charter and dedication, which I now lay before your excellency, and prayed to have it transmitted to his majesty; but their excellencies thought fit to decline granting my petition.

Thus your excellency may see, the same necessity still subsists, the same principles prompt, and the same motives that before prevailed, still strongly induce me, with all respect and humility, to address your excellency, and to supplicate you on behalf of myself, and the rest of my suffering fellow-subjects and fellow-citizens, to forward the summary state of our case in the following charter and dedication, to the royal presence.

There is another reason, to me, no less cogent, for begging this favor with greater earnestness of your excellency; my reputation is dearer to me than life; that is rigorously, severely struck at: The most violent, the most lawless, the most inhuman threats are daily uttered against me; for none other crime, that I know of, than that of complaining of public injuries, dangerous and destructive to the king and to his people. I have appealed to Cæsar. Shall Cæsar's servants obstruct the laying my complaints before the throne? and even punish me for complaining? Shall this be done under the administration of a Stanhope? God forbid!

My Lord, to sum up all my desires and intentions in a few words; I only wish to discharge the end of my creation, in fulfilling the duty of a subject,
in

in every station, to which it shall please all-wise, all-ruling Providence to call me, with due submission and subjection to every loyal and good governor and subordinate magistrate, and an equal right to oppose, by law, and to complain of the misconduct of all those, who endanger our constitution by invading the rights of the subject, or neglecting to discharge the duties of their stations.

If in all that I have hitherto attempted, with this intent, I have done wrong to any man, I am open to conviction, and ready to make the fullest atonement. Therefore, if I have advanced any thing repugnant to the principles of our government, or inconsistent with the rights and privileges of the subject, I humbly conceive my intentions ought to be considered, and I should be properly examined, before the threatened weight and fury of power be let loose upon me. It is not to be deemed beneath the dignity of good governors to inform active and well-meaning subjects of errors in their conduct; if such can be made to appear in my transactions, I shall from the same principle, that I mean to advance truths, in my judgment, conducive to the happiness of this city, and these kingdoms, as readily, as publicly, retract errors, or mistakes.

My lord, I must beg your excellency's indulgence to make one declaration more. At a time, when ministerial influence of court dependence is rather sought than avoided, by men of independent fortunes, it may be suspected, that one of my low sphere may have some private or selfish views in thus attending upon your excellency. To obviate such an imputation, I thus solemnly declare, that though I wish to be always well understood, and, upon occasion, well heard, by the government; yet, even that, is only for the public good; because, that for myself, I have nothing to ask, nor any thing to fear from the highest powers; my sole ambition is to discharge the duties of my station. And, in so doing, I shall ever take care to approve myself, his majesty's most unfeignedly loving and loyal subject, as well as,

May it please your excellency,

Your excellency's most dutiful

And most faithful humble servant,

C. LUCAS.

Dublin, October the 3d, 1749.

No. LVIII.

The Memorial of the Earl of Kildare. (Page 313.)

To his Most Serene and August Majesty King George the Second, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth. The most humble Memorial of James Fitzgerald, Earl of Kildare, Baron Offaly, Lord Leinster in England, &c. and one of his Majesty's Most Honorable Privy Council of the Kingdom of Ireland,

MOST HUMBLY REPRESENTETH,

THAT your memorialist is the eldest peer of the realm, by descent, as lineally sprung from the ancient and august blood of the noble Earl of Kildare, who came over under the invincible banner of your august predecessor Henry the Second, when his arms conquered the kingdom of Ireland.

That your memorialist, on this foundation, has the greater presumption to address your august majesty, as his ancestors have ever proved themselves steady adherents to the conquest of that kingdom, and were greatly instrumental in the reduction thereof, by their money, interest, and forces.

That though they were first sent over with letters patent, under Henry the Second's banner, to conquer that kingdom, yet by the inheritance of lands, by intermarriages with princesses of the kingdom, they became powerful, and might have conquered for themselves, notwithstanding which, their allegiance was such, as that, on that sovereign's mandate to stop the progress of war, we obeyed, and relinquished our title of conquest, laid down our arms, and received that monarch with due homage and allegiance, resigning our conquests as became subjects, and also prevailed with the sovereign princes, bishops, nobles, clergy, and gentry, to acknowledge him right and lawful sovereign of Ireland, and of the seas, sea-ports, and other domains of the kingdom.

That on this presumption, your memorialist has, in the most humble manner, at the request of the natives of Ireland, your majesty's true liege subjects, not only the aborigines thereof, but the English colonies, sent over by Henry the Second, Richard the Second, Elizabeth, Charles, Cromwell the Usurper, William the Third of glorious memory, and other kings, your majesty's predecessors,

deceffors, and the conquerors of Ireland, made bold to lay before your majesty the true state of their feveral and refpective grievances, a burden now become almoft too heavy to bear.

And your memorialift was rather induced to lay this memorial at your august majesty's feet, as it was on good prefumption furmifed, that all accefs to your royal ear was fhut up, and your liege fubjects debarred the liberty of complaining, a right ever allowed to your majesty's liege fubjects of what degree or condition foever.

That no notice being taken of feveral remonftrances heretofore made by your majesty's liege fubjects, it was humbly prefumed, that fuch remonftrances had been ftopped, and debarred in their progrefs to your royal ear.

That your memorialift, at the request of feveral thoufands of your liege fubjects, as well the nobles as the clergy, the gentry, and commonalty of the kingdom, has ventured on this bold ftep, for which he humbly craves your majesty's pardon, as nothing but the diftreffs of his countrymen, your moft loyal fubjects, could have drawn him to this prefumption.

That in general the face of your loyal kingdom of Ireland wears difcontent, a difcontent not coloured from caprice or faction, but purely founded on minifterial mifapplication.

That though feveral perfons, particularly N. G. was called to account for the public money, which he had drawn out of the treasury, and depofited in the banks, yet this inquisition came to nothing by the mediation of party, and the interpoftion of power.

That the Duke of Dorfet's fon Lord George, though in high and lucrative employments already, not fatisfied therewith, has reftlefly grasped at power, infatiable in his acquifitions.

That the primate, who is now on the pinnacle of honor, connected with the faid noble lord, has made ufe of his influence to inveft himfelf of temporal power, and like a greedy churchman, affects to be a fecond Wolsey in the fenate.

That influences being fo predominant, corruption fo formidable, and elections fo controlled by the mighty power of thofe two ftatemen, your loyal kingdom of Ireland feels the bad effects of it, and dreads this duumvirate as much as England did that of the Earl of Stafford and Archbishop Laud.

That your other minifters, officers, fubjects, and fervants, being cut out of
dignity

dignity and power by this formidable monopoly, can scarce perform the proper functions of their ministry, as all measures are determined by fatal and influenced majorities in the houses.

That the citizens of Dublin have for a long time laboured under an unprecedented slavery in subjection to the bankers of administration, who act in a despotic manner, raising and disposing the public revenues of the city, just as to them seems fitting.

That your majesty's interest in the hearts of your loyal subjects is likely to be affected by those arbitrary measures, as the landed interest is very much injured thereby, and as few care to represent their country in parliaments where a junto of two or three men disconcert every measure taken for the good of the subject, or the cause of common liberty.

That your memorialist has nothing to ask of your majesty, neither place, civil or military, neither employment or preferment for himself or friends, and that nothing but his duty to your majesty and his natural hatred to such detestable monopoly, could have induced your memorialist to this presumption,

Who is,

In all respects,

Your most loyal

And dutiful subject,

J. FITZGERALD.

No. LIX.

The Gentlemen who voted in Support of the Resolutions. (Page 319.)

[Marked thus,* spoke in the Debate.]

Tellers for the Ayes.

Lord Moore, Lieutenant Colonel of Horse.

*Edmond Sexton Pery, Esq.

Hon. Hugh Skeffington, Lieutenant of Horse Charles O'Neile, Esq.

James Smyth, Esq. Collector of *William Brownlow, Esq.

Dublin

Hon. John Caulfield, Esq.

5 K

Arthur

- Arthur Upton, Esq.
 James Hamilton, Esq.
 Sir Richard Wolesley, Bart.
 *Lord Newtown
 Hon. Barry Maxwell
 John Cramer, Esq.
 Richard Ponsonby, Esq.
 Denham Jephson, Esq.
 William Forward, Esq.
 Abraham Creighton, Esq.
 Bernard Ward, Esq.
 Alexander Hamilton, Esq.
 Robert Scott, Esq.
 Matthew Ford, Esq.
 Francis Leigh, Esq.
 Sir Charles Burton, Knt.
 *Philip Tisdal, Esq. Solicitor General, and Judge of the Prerogative
 Edward Bolton, Esq.
 Hon. John Butler, Esq. Clerk of the Pipe
 Henry Brooke, Esq.
 *Nicholas Arehall, Esq.
 *Robert French, Esq.
 Robert Fitzgerald, Esq. Judge Advocate
 Sir William Founds, Bart. Packer, Searcher, and Gauger, in the port of Cork
 Maurice Keating, Esq.
 John Bourke, Esq. Commissioner of the Revenue
 Walter Weldon, Esq.
 Richard Dawson, Esq.
 James Agar, Esq. senior
 Hon. Redmond Morris, Esq.
- Hon. Joseph Leeson, Esq.
 Edward Herbert, Esq.
 Hon. Richard Ponsonby, Esq. Secretary to the Commissioners
 Henry Lyons, Esq.
 Sir William Parsons, Bart.
 Richard Trench, Esq.
 Boleyn Whitney, Esq. Commissioner of Appeals
 John Pomeroy, Esq. Lieutenant Colonel of Foot
 Hugh Crofton, Esq.
 Charles Smyth, Esq.
 Hercules Langford Rowley, Esq.
 Richard Edgworth, Esq.
 Right Hon. William Henry Fortescue, Esq. Privy Counsellor
 John Ruxton, Esq.
 Thomas Fortescue, Esq.
 James Fortescue, Esq.
 Thomas Tenison, Esq. Commissioner of Appeals
 Anthony Forster, Esq.
 Townley Bellfore, Esq.
 Sir Thomas Taylor, Bart.
 Richard Moore, Esq.
 Georges Lowther, Esq.
 Henry Monck, Esq.
 Thomas Dawson, Esq.
 Jonah Barrington, Esq. Pensioner
 Robert Cunningham, Esq. Adjutant-General
 Nehemiah Donellan, Esq.
 Right Hon. Sir Thomas Pendergast, Post-Master General and Privy Counsellor
 Kinmill Penefather, Esq.

William

William Stewart, Esq.	James Stopfort, Esq.
Thomas Knox, Esq.	Charles Tottenham, Esq. Surveyor
Nehemiah Donellan, Esq. junior	General of Excise
Richard Georges, Esq.	Hon. Henry Loftus, Esq.
John Rochfort, Esq.	Thomas Loftus, Esq.
Robert Percival, Esq.	Walter Hore, Esq. Judge Advocate
Andrew Ram, Esq.	Richard Chapel Whaley, Esq.
*Thomas Le Hunte, Esq.	John Strafford, Esq.
John Leigh, Esq.	Stephen Trotter, Esq.

Against the Question, and for Stifling the Resolutions from appearing before His Majesty.

Tellers for Noes.

*Sir Richard Cox, Bart. Pensioner
Thomas Carter, Esq. junior.

Edward Smyth, Esq.	John Lyfaght, Esq. junior
Hon. Hungford Skeffington, Pensioner	Andrew Knox, Esq.
Sir Richard Butler, Bart.	Sir Ralph Gore St. George, Bart.
Right Hon. Richard Rigby, Principal Secretary	Right Hon. Sir Arthur Gore, Bart.
Sir Edward Obrien, Bart.	Privy Counsellor
Murrough Obrien, Esq.	Michael Clarke Esq. Examiner of Excise
Emanuel Pigot, Esq.	Francis Pier Burton, Esq.
Hon. James Obrien, Esq. Collector of Cork	Thomas Montgomery, Esq.
Bellingham Boyle, Esq. Pensioner	William Cooper, Esq.
Sir John Freke, Bart.	John Graham, Esq.
Lord Limerick, Chief Remembrancer	Robert Standford, Esq. Captain of Horse
John Magill, Esq.	John Eyre, Esq.
William Harward, Esq.	Henry Bingham, Esq. Pensioner
Edward Barry, Esq. State Physician	William Crosby, Esq.
General Dilkes, Governor of the Hospital	Sir Kildare Burrowes, Bart.
	Robert Harman
	Agmondisham Vesey, Esq. Accomptant General

James Agar, Esq.	Henry Sandford, Esq.
Ralph Gore, Esq. Pensioner	Thomas Mahon, Esq.
*Warden Flood, Esq. Attorney General	Frederick Gore, Esq.
John Gore, Esq. Counsel to the Commissioners	Galbraith Lowry, Esq.
Edmond Malone, Esq. Counsellor at Law	Frederick Gore, Esq.
William Scot, Esq. Prime Serjeant	St. George Richardson, Esq. Lieutenant of Horse
Alexander Nesbit, Esq. Pensioner	Aland Mason, Esq.
Anthony Marlay, Esq. Commissioner of Appeals, and Pensioner	Lord Beresford
Henry Mitchel, Esq.	Shapland Carew, Esq.
Hon. Mr. Westely	Lord Boyle
General Bligh, Colonel of a Regiment of Horse	Sir Henry Cavendish, Bart. Teller of the Exchequer
Richard Hamilton, Esq.	*Right Hon. Anthony Malone, Chancellor of the Exchequer, and Privy Counsellor
Nathaniel Clements, Esq. Deputy Vice Treasurer	Gustavus Lambert, Esq. Collector of Excise
Alexander Montgomery, Esq.	Lord Forbes, Colonel of Foot
Bartholomew William Gilbert, Esq.	Richard Malone, Esq. Serjeant at Law
Marcus Patterson, Esq. Serjeant at Law	Hon. Thomas Southwell, Esq. Pensioner
William Henry Dawson, Esq.	Charles Gardiner, Esq. Surveyor General of the Customs in Ireland.

No. LX.

Exhortation of the Roman Catholic Clergy of Dublin, read from their Altars on the Second of October, 1757. (P. 320.)

(From the Dublin Journal of October 4th, 1757.)

IT is now time, Christians, that you return your most grateful thanks to Almighty God, who, after visiting you with a scarcity, which approached near unto a famine, has been graciously pleased, like a merciful father, to
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hear your prayers, and feed you with a plentiful harvest; nor ought you to forget those kind benefactors, who, in the severest times, mindful only of the public good, generously bestowed, without any distinction of persons, those large charities, by which thousands were preserved, who otherwise must have perished the victims of hunger and poverty. We ought especially to be most earnest in our thanks to the chief governors and magistrates of the kingdom, and of this city in particular, who, on this occasion, proved the fathers and saviours of the nation. But as we have not a more effectual method of shewing our acknowledgment to our temporal governors, than by an humble, peaceful, and obedient behaviour; as hitherto, we earnestly exhort you to continue in the same happy and Christian disposition, and thus, by degrees, you will entirely efface in their minds those evil impressions, which have been conceived so much to our prejudice, and industriously propagated by our enemies. A series of more than sixty years spent, with a pious resignation, under the hardships of very severe penal laws, and with the greatest thankfulness for the lenity and moderation, with which they were executed, ever since the accession of the present royal family, is certainly a fact which must outweigh, in the minds of all unbiassed persons, any misconceived opinions of the doctrine and tenets of our holy church.

You know that it has always been our constant practice, as ministers of Jesus Christ, to inspire you with the greatest horror for thefts, frauds, murders, and the like abominable crimes; as being contrary to the laws of God and nature, destructive of civil society, condemned by our most holy church, which, so far from justifying them on the score of religion, or any other pretext whatsoever, delivers the unrepenting authors of such criminal practices over to Satan.

We are no less zealous than ever in exhorting you to abstain from cursing, swearing, and blaspheming; detestable vices, to which the poorer sort of our people are most unhappily addicted, and which must at one time or other bring down the vengeance of heaven upon you in some visible punishment, unless you absolutely refrain from them.

It is probable, that, from hence, some people have taken occasion to brand us with this infamous calumny, that we need not fear to take false oaths, and consequently to perjure ourselves; as if we believed that any power upon earth could authorise such damnable practices, or grant dispensations for this purpose. How unjust and cruel this charge is, you know by our instructions

structions to you both in public and private, in which we have ever condemned such doctrines, as false and impious. Others, likewise, may easily know it from the constant behaviour of numbers of Roman Catholics, who have given the strongest proofs of their abhorrence of those tenets, by refusing to take oaths, which, however conducive to their temporal interest, appeared to them entirely repugnant to the principles of their religion.

We must now intreat you, dear Christians, to offer up your most fervent prayers to the Almighty God, who holds in his hands the hearts of kings and princes, beseech him to direct the counsels of our rulers, to inspire them with sentiments of moderation and compassion towards us. We ought to be more earnest, at this juncture, in our supplications to heaven; as some very honorable personages have encouraged us to hope for a mitigation of the penal laws. Pray then the Almighty to give a blessing to these their generous designs, and to aid their counsels, in such a manner, that, whilst they intend to assist us, like kind benefactors, they may not, contrary to their intentions, by mistaking the means, most irretrievably destroy us.

To conclude, be just in your dealings, sober in your conduct, religious in your practice, avoid riots, quarrels, and tumults; and thus you will approve yourselves good citizens, peaceable subjects, and pious Christians.

No. LXI.

Letter of Mr. O'CONOR to Dr. CURRY. (P. 320.)

MY DEAR FRIEND,

MY neighbour, or rather a great man in my neighbourhood, the Bishop of Elphin, has been of late very inquisitive about the Bishop of Ferns's bleeding Iphigenia, in hopes, I suppose, of throwing some dirt at us this session out of our own dunghills. I know enough of this book out of Walsh's, to think that you as well as I, are of Walsh's side of the question, in condemning the proceedings at Waterford, Jamestown, and Galway, and in declaring that the war of the confederate Catholics was just and necessary; they fought against unprincipled regicides, and his lordship's abuse will tend ultimately to make such enemies less odious to mankind. In the mean time, you and all of you, are as passively silent as sheep before the shearer; you are of opinion, I suppose, that it is not justice due to all parties to shew by what means and by whose means, such evils

evils were brought upon us as operate to this day. This Harris's insolence is seasoned for him by an opinion derived from your silence, that he has defeated us all. For my part, were I you, and had I but a pebble, I would cast it at such an illiberal dog; nay, at every Irishman, who would be so base as not to be ashamed to mangle the corpse of the fallen, or to rivet the fetters of the oppressed.

But alas! we are a people truly fallen, or we would co-operate with each other systematically, in counteracting the proceedings of the parties that are united in nothing but in a league against us. They offer as a boon, a registry bill, which is evidently calculated to extirpate our very remains. Nothing can be better known, than that our spiritual œconomy cannot be exercised without the spiritual jurisdiction of our bishops. Yet, the jurisdiction of Catholic bishops is totally overturned by this blessed boon, the intent of which is therefore to destroy Popery by Popery itself.

The difference between Queen Ann's Registry Bill and this one, is, that the former was too penal to execute itself. But the latter is far from being so; it avails itself of our most despotic passions to destroy our best principles.

Let us therefore draw up a solemn appeal, to be published in the Foreign Gazettes, which will acquit us in the face of Europe as men aggrieved merely on account of honest attachments to our principles. This will be of use to us in the day of exile; for I see now that there is no remedy but emigration. I can never think of this legal annihilation of episcopal authority, without alternate emotions of anger and dejection. I am moved to indignation when told, that, after this bill passes, the penal clauses shall be as little enforced as those already existing. Vain presumption! This penal law is calculated to execute itself, and ourselves shall be the executioners! How shall I proceed on this melancholy subject which afflicts me the more, as, for so many years past, we have not by any principle or conduct, given the smallest provocation. Allow me, my dear friend, to apply to you for the consolation which I can derive only on the vigilance and activity of which I know you are possessed.

Tecum etenim longos memini consumere soles,

I am, in every situation of life,

Affectionately and invariably your's,

CHARLES O'CONOR.

[The *Declaration of the Roman Catholic Tenets* published at this time was the same as that published in 1793; for which vide Appendix, No. LXXXVIII.]

No.

No. LXII.

Mr. WYSE's Proposal to the First Catholic Committee. (P. 321.)

WHEREAS, many of the penal laws enacted against the Roman Catholics of Ireland, since the Revolution, have in a great measure been owing to the supineness of some, to the overbearing superiority assumed by others in taking the lead, and despising the opinions of men of greater knowledge and penetration; to embezzlements of public money, and an insecurity of application to the purposes, for which large sums have been occasionally raised; to an imprudent choice of improper agents; to the diffidence and difficulty of raising such sums as are necessary to give weight to solicitation; and lastly, to the want of that good understanding, harmony and union so remarkable in the political conduct of all other Dissenters, by which they have preserved a legal toleration of their religious worship, and the rights and liberties of freemen, which the Catholics might have been equally successful in keeping, if they had gone hand in hand, and pursued the same methods, the neglect and omission of which have brought such an inundation of calamities on us, that neither clergy nor laity could live in this kingdom, if the severity of the laws themselves did not suspend their execution, and the lenity of government hold up the scourge, but not the spirit of persecution, which breaks out each session, with greater violence, and though now and then diverted, yet in the end must extirpate us, if not prudently counteracted.

And, whereas, it would be impossible to convene together all the Roman Catholics of property throughout the kingdom on any emergency, or even all the Roman Catholics of weight and consequence in and about the city of Dublin, the fountain head of intelligence, and though such a convention were practicable, it would be inexpedient; in order therefore to remedy, &c. &c. the following scheme is humbly proposed for establishing a perpetual committee of representatives for each diocese in Ireland, and for each parish in the city of Dublin. One representative to be chosen by ballott, at a meeting of the principal inhabitants of each parish, and in each county by a majority of the parish priests, as well as of the towns and cities, and each nomination and appointment of a lay representative to be signed not only by the said clergy, but also, by the principal inhabitants of the diocese, and these several elections to be made with as much secrecy as possible.

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The chairman of the said committee with an assistant, constantly residing in Dublin, to keep a book of accounts, and enter all transactions for the satisfaction of their constituents; to be annually chosen on some day before the first of January, by a majority of members, and to have a casting voice, in case of a division, and an equality of voices on both sides. The country members, who may not be in town at the time of any necessary business shall be duly apprized thereof by the chairman or assistant secretary for the time being, and any gentleman, though not of the committee, shall have access to their meetings, to give his opinion or advice on any deliberation of importance, but not to have a voice in any debate or resolution of the committee, or be present when the question is put; and every thing done by a majority of voices, relative to the spiritual or temporal welfare of the constituents, shall be binding, and considered by all parties as conclusive, &c.

No. LXIII.

Letter of Mr. SAUL to Mr. O'CONOR of Belanagare. (P. 322.)

MY DEAR MR. O'CONOR,

I AM an utter stranger to what our people here are doing, and I am resolved never to be concerned in any affairs during my life, but those of my family, and a small circle of friends; what I suffered on account of my humanity in the case of Miss Toole, has taught me this lesson; I was then made to understand, from the mouth of no less a personage, than the lord chancellor, that the laws did not presume a Papist to exist here, nor could they breathe without the connivance of government. If so, for I shall not attempt to think otherwise, after so solemn a declaration, how can you blame me for being an enemy to addresses and to memoirs? Even you cannot persuade me that they tend to any purpose. I remember to have read in some of the classics (when a school boy), a line or two, which have been of singular use to me in the course of my life.

Nunquam poenituit tacuisse, at sæpe locutum.

And now, my dear friend, since there is not the least prospect of such a relaxation of the penal laws, as would induce one Roman Catholic to tarry in this house of bondage, who can purchase a settlement in some other land, where freedom, and security of property can be obtained, will you condemn

me for saying, that if I cannot be one of the first, I will not be one of the last, to take flight from a country, where I have not the least expectation of encouragement to enable me to carry on my manufactures, to any considerable extent?

Heu! fuge crudeles terras, fuge littus avarum!

The parliament of 59, is not the parliament of 53. The heart was then on the right side of the political body, ready to promote, on all occasions, the interest and welfare of the country; but the case is quite the reverse at present. The patriots of that happy æra are the betrayers of this; and he only is wrong, who stood out for too great a price, or did not sell himself in time for what he could obtain.

If (as Pope says) "whatever is, is right," those trials may perhaps be intended for our greater benefit, as lessons to shew us, that our kingdom is not of this world, that we are not to expect any real happiness in this life, and that the greatest calamities and miseries here must have an end.

This reflection, I own, has often relieved me on many distressing occurrences. But how I will be able to bear at this time of life, when nature is far advanced in its decline, and my constitution by constant exercise of mind very much impaired, the fatal necessity of quitting for ever, friends, relations, an ancient patrimony,—my *natale solum*, to retire perhaps to some dreary inauspicious clime, there to play the school-boy again, to learn the language, laws, and constitution of the country; to make new friends and acquaintances; in short, to begin the world anew; how this separation, I say, from every thing dear in this sublunary world, would afflict me, I cannot say, but with an agitated and throbbing heart.

But when Religion dictates, and Prudence points out the only way to preserve posterity from temptation and perdition, I feel this consideration predominating over all others, I am resolved as soon as possible to sell out, and to expatriate; and I must content myself with the melancholy satisfaction of treasuring up in my memory the kindnesses and affections of my friends. Living or dying

I am,

My dear O'Conor,

Ever your's,

LAWRENCE SAUL.

November 15, 1759.

No.

No. LXIV.

*Letter of Mr. O'CONOR to Dr. CURRY. (P. 322.)**September 16th, 1759.*

DEAR SIR,

NO circumstance attending the Memoirs gives me more pain, than the prospect you have before you, that the storm of the times is to burst over the heads of the patronizers of such a work, that is, over the defenceless, the grieved, and hated part of the nation.—If our masters are so far bent against us, as to be provoked at what we may now surely call innocent truths; let those truths be secreted for better days and better times, even though no great deference should be observed to the errors of men, who would rather continue ruinously mistaken, than be unpleasingly undeceived; my deference to such men would go but a short way; and were I author of the Historical Memoirs, I would apprehend but very little from the open avowal of them. But, perhaps the true author, whoever he is, has more measures to keep through the delicacy of his situation.

For my part, I can see neither relief nor persecution from the complexion of the present times, they seem not purified enough for the one, nor implacable enough for the other; and when the scales of political wisdom are thus poised, let us conclude that wisdom and justice will take care one time or other to cast the balance on the right side.

Your's affectionately,
CHARLES O'CONOR.

To the Same.

Belanagare, October 20th.

DEAR SIR,

ON my return two days since from Jamestown, I called in Elphin, at Mr. Stafford's. He informed me, that he put a book which lately came out, (on the fatal rebellion in 1641) into the Bishop's hands, who promised it an impartial reading. As you might probably have perused that work, you may be curious to know what so great a man's thoughts are relative to it; they are indeed pretty much what I foresaw they would be.—The

author (said he) hath taken great pains to support his facts by authentic testimonies, but I cannot approve of the discretion of gentlemen, who in the present time revive such facts.—Mr. Stafford made no reply; nor could it escape his lordship, that such facts are revived incessantly, in the anniversary sermons, pamphlets, and books of the most eminent men among us. But the charge of indiscretion is levelled particularly at any person, who now have the audacity to controvert any matters set forth in these periodical writings. For my own part I cannot but approve entirely of the equity of this judgment: nor can I see the reason, why a people, who contended in vain for civil justice in a former age, should have any historical justice done them in this! Who does not see that under all popular governments, popular contention must sometimes arise, and that every discomfited party, (which party must be surely always in the wrong) owe at least one duty to the public, which is either to applaud the justice done them, or leave the honor of the panegyric to others.

In the present case you see, that nothing more than a respectful silence is required, and sorry I am that the author of the book I mention, did not follow the example set him by his own party for seventy years past. Had he done so, nothing more than the usual course would be served up, on the approaching anniversary of the 23d instant; but now I am not without my apprehensions, that the perusal of those memoirs may swell the bill of fare; and prove expensive to those, for whom such feasts are annually prepared. Here I drop my melancholy subject, having only to add, that his lordship suspects strongly, that the author of the book I mention, lives this side of the Shannon; he will doubtless confirm others in this idea.

I lay four nights ago in Jamestown, nine miles off. It contains an area of four or five plantation acres, in an oblong square, surrounded by a strong wall six feet in thickness, about twenty feet high; the two great gates are broken down. It stretches along the Shannon, under a rising ground to the West; no fortification was ever worse situated for defence. I give you this description of the place, as it is almost as famous in history, for its council of bishops in the civil war, as Trent is for another council, which is equally the object of popular odium. I have tired you and myself.

Adieu,

CHARLES O'CONOR.

P. S.

P. S. The great man set off for Dublin on Monday last. He thought that the not procuring him the *Iphigenia*, was owing rather to a design in secreting the work, than the real want of the book. I request you will do all you can to hunt down this historical fugitive, and let him be delivered bound up, or even loose, to one who is so eager to have him examined.

The Answer.

DEAR SIR,

I RETURN a thousand thanks for both your last favors. Your great neighbour's observation on the *Memoirs* is pleasant enough. After a very short, critical, inquisitive perusal of an unpleasing work, because a work, destructive of one of his principal topics of argumentation against an opposite party, whom he is in the habit not only of dissenting from, but detesting; for such a man to have no other fault to find, but indiscretion, in the publication of such truths at this juncture, nay, to allow that the author has supported his facts by authentic evidence—quod erat desideratum—amounts, consideratis considerandis—to approbation and applause. From a judge so circumstanced as his lordship, no more could be expected; and his mentioning the fault of indiscretion, looks like affected criticism; because you have shewn it to be entirely groundless, and because it was, you know, absolutely necessary he should find some fault. I have been seeking in vain for *Iphigenia*: if I can get her at any price, she shall be at your service.

Adieu.

J. CURRY.

No. LXV.

The Humble Address of the Roman Catholic Gentlemen, Merchants, and Citizens of the City of Dublin, to His Grace, John, Duke of Bedford, &c.
(Page 324.)

(From the Dublin Gazette, December 15, 1789.)

MAY IT PLEASE YOUR GRACE,

WE, his majesty's dutiful and faithful subjects, the Roman Catholic gentlemen, merchants, and citizens of the city of Dublin, do,
with

with the greatest respect, approach the illustrious representative of the best of kings, with our hearty congratulations on those glorious successes, by sea and land, which have attended his majesty's arms, in the prosecution of this just and necessary war.

We gratefully acknowledge the lenity extended to us by his most sacred majesty, and by his royal father, of happy memory. Our allegiance, may it please your grace, is confirmed by affection and gratitude; our religion commands it; and it shall be our invariable rule firmly and inviolably to adhere to it.

We are called to this duty, at the present time in particular, when a foreign enemy is meditating desperate attempts to interrupt the happiness and disturb the repose, which these kingdoms have so long enjoyed, under a monarch, who places his chief glory in approving himself the common father of all his people: and we sincerely assure your grace, that we are ready and willing, to the utmost of our abilities, to assist in supporting his majesty's government against all hostile attempts whatsoever.

Whenever, my lord, it shall please the Almighty, that the legislative power of this realm shall deem the peaceable conduct of his majesty's Catholic subjects of Ireland, for many years past, an object worthy of its favourable attention, we humbly hope means may then be devised, to render so numerous a body more useful members to the community, and more strengthening friends to the state, than they could possibly have hitherto been, under the restraint of the many penal laws against them. We most humbly beseech your grace to represent to his majesty these sentiments and resolutions of his majesty's faithful subjects, the Roman Catholics of this metropolis, who sincerely wish, that a peace honourable to his majesty, and advantageous to his kingdoms, may be the issue of the present war; and that the people of Ireland may be long governed by your grace, a viceroy, in whom wisdom, moderation, and justice, are so eminently conspicuous.

Dated this first of December, 1759. (nine.)

His

His Grace the Duke of BEDFORD's Answer to the Address of the Roman Catholics of Dublin, in his Letter to the Right Honorable John PONSONBY, Esq. Speaker of the Honorable House of Commons.

(From the Dublin Gazette, December 15th, 1759.)

Dublin Castle, 10th of December, 1759.

SIR,

I BEG the favor of you, to return my most sincere thanks to the gentlemen, the Roman Catholics of Dublin, for the address which you brought me from them this morning, and for the good opinion which they have therein expressed of me.

The zeal and attachment, which they profess for his majesty's person and government, can never be more seasonably manifested, than in the present conjuncture.

It gives me the greatest pleasure to find, that they are so fully sensible of the lenity, which hath been extended to them, during the whole course of his majesty's reign; and they may be assured, that, so long as they conduct themselves with duty and affection to the king, they will not fail to receive his majesty's protection.

I am, with great truth and regard, Sir,

Your most obedient humble servant,

BEDFORD.

No. LXVI.

Letter of General STRODE to the Lord Lieutenant, concerning the Landing of THUROT. (P. 331.)

INFORMATION of Benjamin Hall, lieutenant and adjutant to my regiment, who this moment arrived here, on his parade, from Carrickfergus, in order to get provisions for the officers and soldiers of my regiment there, says, that on the 21st inst. three ships appeared off the isle of Magee, standing in shore, for the bay of Carrickfergus, and at eleven o'clock came to an anchor, about two miles and a half to the N. E. part of the castle, and within
musquet

musquet shot of the shore at Thilroot-point. At this time the small number of troops belonging to the garrison, were at exercise, about half a mile on the road to Belfast; and at a quarter after eleven o'clock, the guard was turned out, made up, and marched off, to relieve that on the French prisoners in the castle: the rest of the men continued in the field of exercise, where an account was soon brought, that the three ships just come to anchor had taken and detained two fishing boats, and with them and several others were plying on and off between the shore and the ships; on which immediate orders were sent to the castle for both guards to continue under arms, and double the sentinels on the French prisoners; and be particularly strict and watchful over them, till they could be satisfied whether they were friends or enemies; though at the same time, a strong report prevailed with some, that it was an English frigate and two store ships: but to be convinced what they were, after the troops had assembled in the market place, Lieutenant Hall went off with a reconnoitring party, and took post on a rising ground, where he could plainly perceive eight boats landing armed men; and that they drew out in detachments, and took post on the dykes, hedges, and all the rising grounds, from whence they could have the most extensive views: upon which he gave the necessary orders to his non-commission officers and men, to have a watchful eye of their approaches; and to take particular care, that they did not get round them, by going to the foot of the hill undiscovered: in order to prevent which he posted them himself, and told them as soon as ever their advanced guard came within shot, to fire upon them, and continue so to do, until they repulsed them; or, if necessary to retreat, he likewise pointed that out to them, with orders to take every opportunity or advantage of the ground, in their retreat, to retard the enemy's approach; and to be sure to keep up a communication with the town as much as possible; and, on this he immediately went to the town and acquainted Lieutenant Colonel Jennings, where he met him with the troops on the parade, who immediately ordered detachments to be made to defend the gates of the town, and all the avenues leading thereto; soon after which the reconnoitring party retired, after having spent all their ammunition: during which time the lieutenant colonel and chief magistrate of the town, sent off the sheriff and Mr. Macklewain (who is captain of the militia of the corporation) with orders to take off the French prisoners of war, and convey them with all speed to Belfast, where they were to receive further orders from me. By this time the enemy were

were in full march for the town, which he computed to be near 1000 men; and two or three straggling hussars, on horses they had picked up after landing, attempted to enter the gates, but on the first fire, retired, but were soon supported by parties of foot, who attacked both the north and Scotch gates; as also the garden walls of Lord Donegal; but were repulsed also, and kept back as long as the men had ammunition. On which Colonel Jennings ordered the whole to retire to the castle; which he had sufficient time to do, as now the enemy was a little checked from our fire; and would have been more so, if the men had ammunition. Before the gates of the castle were shut, they made their appearance in the market place; and then it was, in his opinion, the destruction of the enemy would have commenced, had it not been for the still dreadful want of ammunition, notwithstanding the supply of powder they had received a few days before by my order, from Belfast, but were in want of ball, and even time, if they had that, to make them up: from which the enemy, finding our fire so cool, attacked the gates sword in hand, which from the battering of the shot from both sides, the bolts were knocked back and the gates opened, and the enemy marched in: but Lieutenant Colonel Jennings, Lord Wallingford, Captain Bland, Lieutenant Ellis, with some gentlemen, and about fifty men, repulsed the enemy and beat them back. Here it was he saw a great resolution in a few Irish boys, who defended the gate after it was opened, with their bayonets; and those from the Half-moon, after their ammunition was gone, threw stones and sticks. Had this attack of the enemy been supported with any degree of courage, they must certainly have succeeded in it, but they retired back under cover, leaving the gates open, with our men in the front of it; which gave them a short time to consider what was the best to be done: first, to see the mens' ammunition, who if they had any, would have certainly sallied, and even without it, had not Colonel Jennings and all the officers thought the enterprize too hazardous. Then they considered if the gate could be defended: the breach in the castle wall, could not; it being near fifty feet long; and having but a short time to deliberate, all agreed a parley should be beat, and Lieutenant Hall sent to know on what terms they might surrender; which was done accordingly, and on his going out, found the greatest part of the enemy under shelter of the old walls and houses before the castle gate; and after the usual ceremony, demanded of the commandant (the general being wounded) what terms would be given to the troops on their surrender; and at the same time sent the drum to call Colonel Jennings

out of the castle, in order to treat with the French commandant on the articles of capitulation, which he says, as well as he can remember, were as follows, viz.

“ Colonel Jennings demanded that the troops should march out with all
“ the honours of war, and the officers to be on their parole in Ireland, and
“ that an equal number of prisoners should be sent to France within one
“ month, or as soon after as ships could be got ready for that purpose.-----
“ Granted.

“ That the castle of Carrickfergus should not be demolished, or any of the
“ stores destroyed or taken out of it.-----Granted.

“ That the town and county of Carrickfergus should not be plundered or
“ burnt, on condition the mayor and corporation furnished the French troops
“ with necessary provisions.-----Granted.”

That, as well as he can remember, was the verbal articles agreed on; though on writing them the French commandant, after consulting his principal officers, declared he could not by any means answer to his master, the French king, for granting to his Britannic majesty the stores in the castle, which he insisted upon: and Colonel Jennings, to his great grief, had it not in his power to refuse, declaring solemnly, at the same time with a grave countenance, that he would rather have been buried in the ruins. To which the French commandant replied, that he could not insert it in the articles of capitulation, yet he would give his word of honour, and did so, that if there was nothing of great value in the castle, belonging to the king, besides powder, he would not touch it (which there really was not): but how far he will keep his promise, is not yet known. Likewise the magistrates of Carrickfergus, not furnishing the French with necessary provisions, they plundered the town, declaring it was their own fault, as they were convinced they had it in their power to supply them, as they had found enough in the town afterwards.

Mr. Hall further informs me, that he has discovered by some of the French, that there was a disagreement betwixt their general and Captain Thurot, the general being for the attack of Carrick, and Thurot for landing at the White-house and attacking Belfast. He likewise judges the frigates to be one of 40 guns, the other two about 20 each.

Lieutenant Hall begs leave to present his duty to your grace, and hopes your grace will excuse any inaccuracy, that may be in his description, as he was no way provided with any papers, and states but from his memory,
having

having been often interrupted by numbers of gentlemen of the militia, who were crowding perpetually into the room to receive orders.

I beg leave to subscribe myself,

My Lord, &c.

Belfast, 23d Feb. 1760.]

WM. STRODE.

No. LXVII.

The Address of the Quakers. (Page 334.)

TO GEORGE the Third, King of Great Britain and the Dominions thereunto belonging.

The humble Address of the People called Quakers, of the Kingdom of Ireland.

MAY IT PLEASE THE KING!

WE, thy dutiful and faithful subjects, being deeply impressed with a sense of the loss these nations have sustained by the sudden and unexpected removal of thy royal grandfather, our late gracious king, beg leave to condole with thee on this affecting event.

His mild and just government rendered him dear to all his faithful subjects; and the particular indulgence and protection we have enjoyed in the free exercise of our religious duties, have left on our minds lasting impressions of gratitude and respect for his memory.

At the same time permit us to congratulate thee on thy accession to the throne of these realms, in which exalted station, we trust in that God by whom kings reign, that those many virtues which we hear adorn thy breast (and for which we are humbly thankful to the divine giver) will ever continue to animate thy conduct; and thy gracious declaration for the encouragement of piety, and suppression of vice and immorality, gives us just grounds to hope, that thy reign will be happy to thy people, and honorable to thyself.

Persuaded of the clemency and benevolence of thy disposition, and conscious of our own fidelity and affection to thy person and government, we are emboldened to ask, and assured of thy favourable protection: a protection we stand the more in need of, as some of our religious tenets (of the truth of which

which we are firmly persuaded) expose us to sufferings from unreasonable men. Such protection, we thankfully acknowledge, the kind acceptance of our peaceable and dutiful demeanour hath procured to us, during the late reigns of thy royal ancestors; and it is our firm resolution (through divine assistance) to merit the continuance thereof, by behaving agreeable to our christian principles, as becomes faithful subjects.

We offer up our fervent prayers to Almighty God, that he may endue thee with wisdom, to rule in his fear; that in thy days righteousness may exalt the nation; and that thou may be the happy instrument of restoring a permanent peace; that his protecting providence may shield thee from every danger, preserve thee long the beloved sovereign of a happy and grateful people; and perpetuate their happiness by continuing the crown in thy family to latest posterity.

Dublin, the 13th of the 11th month (called November) 1760.

To the King's most excellent Majesty.

The humble Address of the Roman Catholics of the Kingdom of Ireland.

MOST GRACIOUS SOVEREIGN,

WE, your Majesty's most dutiful and faithful subjects, the Roman Catholics of the kingdom of Ireland, beg leave to approach your Majesty with this humble tender of our unfeigned loyalty, on your Majesty's happy accession to the throne of your ancestors.

While your Majesty's subjects of all denominations are now endeavouring to be foremost in the exertion of every duty towards your Majesty's person and government; and while all circumstances of affairs at home, and abroad, unite for the present happiness and future glory of your reign; permit us to condole with your Majesty, and pour out our sincere sorrow for the loss we have sustained, by the death of a monarch, who had always approved himself the common father of all his people; a loss the more sensible on our part, as the repose we have so long enjoyed proceeded from his royal clemency, and the mild administration of his government in this kingdom.

Ever since the accession of your Majesty's royal house to the throne of these realms, we have in a particular manner experienced the paternal interposition of your illustrious predecessors. We, most gracious sovereign, who are so unfortunately

fortunately distinguished from the rest of our fellow subjects, cannot subsist without a continuance of the royal favour and protection.

Sensible of the same hereditary compassion in your Majesty's breast, we most humbly hope for that share in the happiness of your reign, which our peculiar circumstances can admit. And we beg leave to assure your Majesty of our grateful and constant return of affection and loyalty; a loyalty which our conduct has proved, and our religion enforces; happy! might it entitle us to express a wish, that of all your Majesty's dutiful subjects of this kingdom, we alone may not be left incapable of promoting the general welfare and prosperity of it.

May the Almighty so influence and direct your Majesty's councils, through the whole course of your reign, that they may be ever productive of real happiness to all your people! and may that reign be as memorable for its duration and felicity, as for the greatness and variety of those blessings, which we have already so much reason to expect from it.

No. LXVIII.

Exhortation read in the Roman Catholic Chapels on the Day of Public Fast.
(Page 336.)

DEAR CHRISTIANS,

WE think it our duty to remind you of the gratitude and thanks you owe to the Almighty God, who in these calamitous times, so fatal to other parts of Europe, leaves you in the happy enjoyment of peace and all the blessings that attend it; blessings that ought to fill your hearts with the deepest sense of God's mercy towards you, and thankfulness to our chief governor here, whose paternal care and pity, equally generous and extensive, knows no distinctions of persons or people; these blessings we attribute in a great measure to your peaceable and discreet behaviour hitherto: wherefore we exhort you in the bowels of Jesus Christ, to continue to demean yourselves in the same peaceable manner, and to avoid every thing in public or private, that might give the least shadow of offence; that our ministry (as St. Paul says) may not be blamed. Nor does this caution proceed from any diffidence we have of your future conduct: it is rather intended to raise in your minds a lively sense of the lenity and mildness of our present most gracious government. Length
of

of time, your constant, ready, and chearful submission to the ruling powers, and, above all, the merciful and humane disposition of the present royal family, have greatly worn off the rigour of prejudice against you: these happy dispositions, encouraged by a continuance of the same behaviour in you, may perhaps improve still more to your advantage: but whether we shall be deemed worthy of future favour or not, it is our duty, as ministers of Jesus Christ, strongly to enforce the obligations of a submissive, obedient, and peaceful behaviour, and yours, as christians and good subjects, to fulfil them steadily in your practice.

No. LXIX.

The Address of the Merchants and Traders of Dublin in 1761. (Page 352.)

To the Right Hon. William Pitt, Esq. late one of his Majesty's Principal Secretaries of State.

The grateful Address of the Merchants and Traders of the City of Dublin.

WE, his Majesty's most loyal, dutiful, and affectionate subjects, the merchants, traders, and other citizens of the city of Dublin, whose names are underwritten, judge these kingdoms too deeply interested in your withdrawing from the high station you have lately so eminently and greatly filled, to the honour and satisfaction of the crown and the subject, to let so important an event pass over in silence.

Though thus far removed from the great scene of action, we sensibly felt the manifold good of your truly patriotic and singularly wise and upright administration. To this we must attribute the rescuing Britain from the shameful infection of that pestilential ministerial practice, which called foreign mercenaries to the defence of a country, by her native force, when properly exerted, more than a match for half the powers of Europe.

To your steady virtues we stand indebted for freeing our mother country from the reproach of calling foreign troops to defend her from a threatened invasion, and for chastising the insolence of the vaunting invader; inspiring the councils and arms of Britain with that ancient true national spirit, which when duly exerted, ever has, and ever must render the British name terrible to her foes in the utmost extremities of the globe.

Under

Under such an administration, we must always see, instead of private interest, merit, the only recommendation to places of important trust. By such measures as these, it is that we have seen commerce accompanying conquest to the remotest parts of the earth, while faction was silenced and jarring parties reconciled and united at home.

Thus, Sir, have your steady patriot virtues raised monuments to your fame more durable than marble or brass.

As the enemies of these kingdoms never had so great cause to rejoice, as they have from your withdrawing yourself from the sphere in which alone you could render these unspeakably great services to your country; so the true friends of these kingdoms never had more just cause to mourn.

We should therefore think ourselves wanting in duty to our patriot king, to our mother country, as well as our native, did we omit giving this public testimony of the loss which all sustain by the withdrawing of a minister of such matchless abilities and equal fidelity at so important and critical a conjuncture as the present.

Indulge us thus, great Sir, in venting our griefs, and blending our tears with those of the rest of our mourning brethren and fellow subjects in Britain, as well as in other parts of this kingdom. Accept our most hearty and unfeigned acknowledgments for the unspeakable services and lasting honours you have already done your native country, and all the dominions of the crown of Great Britain. And give us leave to assure you, that we shall ever admire, and ever with profound respect and gratitude remember the unparalleled virtues that have so eminently distinguished your administration.

No. LX. a.

(Page 397.)

HIS Excellency George Viscount Townshend, Lord Lieutenant General and General Governor of Ireland, being arrayed in royal robes, entered the House with the usual ceremonies of grandeur; the Earl of Tyrone carrying the cap of maintenance, and the Earl of Charlemont the sword of state; two noblemen's sons bearing the train of the royal robe: his Excellency the Lord Lieutenant making his congé to the throne, ascended the same, and seated himself in the chair of state under the canopy; all the
Lords

Lords Spiritual and Temporal standing robed in their places, uncovered, till their Lordships took their seats.

The Lord Chancellor, kneeling, conferred with his Excellency the Lord Lieutenant, and then, standing on the right hand of the chair of state, commanded the Gentleman Usher of the Black Rod to repair to the House of Commons, and acquaint the Commons that it is his Excellency the Lord Lieutenant's pleasure they attend him immediately in the House of Peers.

And the Commons, with their Speaker, being come, were conducted to the bar, with the usual ceremonies; where Mr. Speaker, after a speech to his Excellency the Lord Lieutenant, in relation to the money-bills, delivered them to the Clerk of the Parliament, who brought them to the table, where the Clerk of the Crown read the titles, as follow, &c.

1. An Act for granting unto his Majesty an additional duty on beer, ale, strong waters, wine, tobacco, hides, and other goods and merchandize therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambrics and lawns, except of the manufacture of Great Britain.
2. An Act for granting to his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to the payment of the interest of the sums therein provided for and towards the discharge of the said principal sums, in such manner as therein is directed.

To these bills, the Clerk of the Parliament pronounced the Royal Assent, severally in the words following, viz. "Le Roi remercie ses bons sujets, accepte leur benevolence, et ainsi le veult."

Then his Excellency the Lord Lieutenant was pleased to make a speech to both Houses of Parliament as follows, viz.

My Lords and Gentlemen,

The attention you have shewn to the great objects which have been particularly recommended by me to your consideration, and the provisions which have been made for the safety and security of this kingdom, call upon me, not only to express my approbation of, but to thank you, as I now do, for your conduct in these particulars.

Gentlemen of the House of Commons,

It is with great pleasure that I thank you, in his Majesty's name, for the supplies which you have granted, and the provision which you made for the present establishment, the public credit, and the safety of this kingdom.

When

When I first met you in Parliament, as I knew and could rely upon it, that nothing could move from his Majesty, but what would be expressive of his constant and ardent desire to maintain and preserve every constitutional right to his people, I little thought that any thing would happen during the course of this session, that could possibly affect the just rights of his Majesty, and of the crown of Great Britain, so as to afford his Majesty any just cause of dissatisfaction, and make it necessary for me, specially to assert and vindicate those rights.

Therefore it is with great concern that I have seen and observed in the Votes and Journals of the House of Commons, printed by your order, a late proceeding by you, of such a nature and of such effect, with respect to the rights of his Majesty and the crown of Great Britain, as to make it necessary for me, on this day, and in this place, to take notice of and animadvert thereupon; I mean the vote and resolution of the 21st day of November last, by which you, Gentlemen of the House of Commons, declare, that a bill, intituled, "An act for granting to his Majesty the several duties, rates, impositions and taxes therein particularly expressed, to be applied to the payment of the interest of the sums therein provided for and towards the discharge of the said principal sums, in such manner as is therein directed," which had been duly certified from hence to his Majesty, and by his Majesty had been transmitted in due form, under the great seal of Great Britain, and which had been read a first time by you, and which was rejected by you on that day, was so rejected, because it did not take its rise in your house.

This vote and this resolution of yours, declaring, that the said bill was rejected, because it did not take its rise in your house, being contrary to the acts of parliament of this kingdom of the 10th of Henry VII. and the 3d and 4th of Philip and Mary, and the usage and practice ever since, and intrenching upon the just rights of his Majesty and the crown of Great Britain, to transmit such bills to be treated of and considered in Parliament here; I am now to assert his Majesty's royal authority, and the rights of the crown of Great Britain in this respect, and in such a manner as may be most public and permanent; and therefore I do here in full Parliament, make my public protest against the said vote and resolution of the House of Commons; by which you, Gentlemen of that House, declare, that the said bill was rejected by you, because it did not take its rise in your house, and against the entries of the said vote and resolution, which remain in the Journals of the House

of Commons ; and I do require the Clerks of this House now to read my said Protest, and to enter it in the Journals of this House, that it may there remain to future ages, as a vindication of the undoubted right and authority of his Majesty, and of the rights of the crown of Great Britain, in this particular.

In this Protest, I think myself warranted in all respects, and if it needed, as I conceive it doth not, any other strength than that, which it derives from the statutes which I have mentioned, and from the usage and practice ever since, it would be found in that precedent which appears in the Journals of this House of the 3d day of November, 1692, under the reign of that glorious and immortal Prince King William III. the great deliverer of these kingdoms, and the constant and magnanimous asserter and preserver of the civil and religious rights of mankind.

The Lord Chancellor then, by his Excellency's command, delivered the said Protest to the Clerk of the Parliaments, which he read at the table, and is as follows, viz.

TOWNSHEND.

Whereas at a Parliament holden at Drogheda, in the 10th year of the reign of King Henry VII. an Act was made for and concerning the order, manner and form of Parliaments, to be holden and kept in this realm of Ireland ; and by another act made at a Parliament, holden at Dublin in the 3d and 4th years of King Philip and Queen Mary, it was ordained, enacted, and established, that no Parliament should be summoned or holden within this realm of Ireland, until such time as the Lieutenant, Lord Deputy, Lord Justice, Lords Justices, Chief Governor or Governors, or any of them, and the council of this realm, for the time being, should have certified the King and Queen's Majesties, her heirs and successors, under the great seal of this realm of Ireland, the considerations, causes and articles of such acts, provisions, and ordinances, as by them should be thought meet and necessary to be enacted and passed here by the Parliament, and should have received again their Majesties' answer, under the great seal of England, declaring their pleasures, either for passing the said acts, provisions, and ordinances, in the form and tenor as they should be sent into England, or else for the change or alteration of them, or any part of the same ; and that as well after every authority and licence, sent
into

into this realm of Ireland, for summoning and holding a Parliament, as also at all times after the summons, and during the time of every Parliament, to be thereafter holden within this realm of Ireland, the Lieutenant, Lord Deputy, Lord Justice, Lords Justices, Chief Governor or Chief Governors, and Council of this realm of Ireland, for the time being, should and might certify all such other considerations, causes, tenors, provisions and ordinances, as they should further think good to be enacted and established, at and in the said Parliament, to the King and Queen's Majesties, her heirs and successors, under the great seal of this realm of Ireland, and such considerations, causes, tenors, provisions and ordinances, or any of them, as should be thereupon certified and returned into this realm, under the great seal of England, and no others, should and might pass, and be enacted here in any such Parliament within this said realm of Ireland, in case the same considerations, causes, tenors, provisions and ordinances, or any of them, should be agreed or resolved on by the three estates of the said Parliament. And whereas in this present session of Parliament, a bill intituled, "An Act for granting to his Majesty the several duties, rates, impositions and taxes therein particularly expressed, to be applied to the payment of the interest of the sums therein provided for, and towards the discharge of the said principal sums in such manner as is therein directed, which had been certified by us, the Lord Lieutenant of this kingdom, and by the Council of this kingdom, unto the King's Majesty, under the great seal of this kingdom; and by his Majesty approved of, and returned into this kingdom, under the great seal of Great Britain, and by us sent to the House of Commons to be considered of in this present Parliament; the said Commons, having the said bill before them, did read the said bill the first time on the 21st day of November last; and on the same 21st day of November, a motion being made in the said House, and the question put, "That the same bill be read a second time on the morrow morning:" it passed in the negative. And afterwards, on the same 21st day of November, another motion was made in the said House of Commons, and the question put, "That the same bill be rejected:" it passed in the affirmative. And afterwards, on the same 21st day of November, a motion was made in the said House of Commons, and the question put, "That the said bill is rejected because it did not take its rise in that House:" it was carried in the affirmative. And the said House of Commons thereupon, the same day, resolved, that the said bill was rejected, because it did not take its rise in that House. All which motions,

motions, questions, votes, resolutions and proceedings, appear to us in the Journals or Votes of the said House of Commons, printed and published by and under their order and authority; and which vote and resolution of the said House of Commons, declaring, that the said bill was rejected, because it did not take its rise in that House, do tend to exclude his Majesty and the crown of Great Britain from the right of transmitting any bills for granting to his Majesty and his successors, money or other aids, and are not consistent with, but contrary to the said recited acts of Parliament, and the usage and practice ever since the making thereof; and do, in effect, intrench upon his Majesty's royal power and authority, and the just and undoubted rights of the crown of Great Britain.

We therefore the said Lord Lieutenant, as well to assert the just rights of his Majesty and the crown of Great Britain (whereof we are, and ever will be most tender) in transmitting such bills under the great seal of Great Britain, to be considered of in Parliament, as to discharge the trust reposed in us, and prevent the inconveniencies which may hereafter happen by the said vote and resolution of the House of Commons, declaring, that the said bill was rejected for the cause therein mentioned, being made public and remaining in their journals, without any contradiction or animadversion, have thought it necessary this day, in full Parliament to protest, and we do accordingly protest against the aforesaid vote and resolution of the said House of Commons, made and passed, declaring, that the said bill was rejected, because it did not take its rise in that House, and appearing in their journals or votes. And we do assert, protest and declare, that it is the just and undoubted right of his Majesty and of the crown of Great Britain, observing the forms in the said several acts prescribed, to transmit bills under the great seal of Great Britain, for granting of aids to his Majesty, his heirs and successors; which said bill, so transmitted, ought to be read and considered of by the House of Commons in this kingdom, without being rejected by the said House, on account only of their not taking their rise in that House; and therefore the rejecting of the said bill because it did not take its rise in that House, and the said recited vote and resolutions of the said House of Commons, declaring, that the said bill was rejected, because it did not take its rise in that House, are not consistent with, but contrary to, the acts of parliament herein before mentioned, and the practice and usage in all Parliaments since the making thereof; and also
highly

highly derogatory to his Majesty's royal authority and the rights of the crown of Great Britain.

After which the lord chancellor, by his excellency's further command, said :

My Lords and Gentlemen,

It is his Excellency the Lord Lieutenant's pleasure, that this Parliament be prorogued to Tuesday the 20th day of March next, to be then here held ; and this Parliament is accordingly prorogued to Tuesday the 20th day of March next.

No. LXI. a.

Protest of five Lords against the Lord Lieutenant's Right of Protest.
(Page 400.)

MOTION being made, that the speaker of this house be desired to direct that no protest of any person whomsoever, who is not a lord of parliament, and a member of this house, and which doth not respect a matter which had been previously in question before this house, and wherein the lord protesting had taken part with the minority either in person or by proxy, be entered in the journals of this house.

And a debate arising thereupon, the question was put, and the house divided :

The Earl of Drogheda reported, that the contents below the bar were 5 ; and the non-contents in the house were 30.

It passed in the negative.

Dissentient :

1. Because we conceive, that it is the sole and exclusive right and privilege of a lord of parliament and member of this house, to have his protest entered on the journals of this house : and that even a lord of parliament and member of this house cannot have his protest so entered, except upon a matter previously in question before this house, wherein the lord protesting took part with the minority, either in person or by proxy.

2. Because we conceive, that this regulation of the privilege of protesting, stands upon the same principle ; in consequence of which, this privilege hath obtained among the lords, and not among the representatives of the people, the latter, we apprehend, are considered by the constitution, as actuated and justified by the sentiments of those whom they represent : whereas the lords, who act, not as deputies, but in their own right, are more personally responsible
for

for their conduct to posterity. The practice of a permanent justification, also seems to have deemed a more necessary guard upon a body, whose power was permanent. Hence we conceive the privilege of protesting arose, that a lord against whom the majority had declared, might have an opportunity of vindicating himself to future times, which the original custom of inserting the name of each lord on the journals, with the part he had taken in the question rendered more unnecessary: and we therefore apprehend, as it would be absurd for a lord to justify his conduct where he had not acted, that the privilege of protesting had been by reason as well as by practice confined to cases, in which the lord protesting had taken a part, and in which, upon question, the majority had been on a different opinion.

3. Because we conceive, that the Earl of Strafford, who first attempted, and that but in a single instance, to enter his protest, as chief governor, upon the journals of this house, was a person of such an arbitrary spirit, and the times, in which he lived, of so bad example, and his said protest so informal and faulty in itself, that such his proceeding ought not to be considered as a precedent.

4. Because we apprehend, that the only subsequent instance, to wit, the protest of Lord Sydney, which was made in heat by that governor, whose conduct was disapproved on his recal to England, which soon followed, and founded upon the former example, which ought not to have been imitated, was still more irregular and improper, inasmuch as it related to a matter, which had never been before this house, and respected the privileges and proceedings of the other house of parliament.

5. Because we conceive it to be peculiarly necessary, at this time, to express our sentiments upon this subject, when we have reason to apprehend, that it is intended, that a protest should be entered upon the journals of this house, relative to the proceedings and privileges of the other house of parliament, in imitation of the last mentioned protest.

6. Because we apprehend, that we ought not to suffer this distinguished privilege of the lords to be invaded or assumed by any person, in whatever station. And that we ought particularly to resist any such attempt, when it may be to involve a breach of the privileges of the other house of parliament also, and may therefore be productive of dissention between the two houses.

Louth,
Charlemont,
Powerfcourt,

Mountmorres,
Longford.

No.

No. LXII. a.

Protest of sixteen Lords against the Entry of the Lord Lieutenant's Protest on the Journals. (P. 410.)

Dissentient,

1. BECAUSE we conceive, that by the entering of the lord lieutenant's protest upon the journals of this house, at the close of the last session, the privileges of this house, and the constitutional rights of the peerage, have been most flagrantly infringed and violated; and that therefore the earliest opportunity should be seized of vindicating the rights and privileges of the peerage, and of wiping away the affront, which this house has received therein, by expunging from its journals this matter of offence which has been unwarrantably and illegally obtruded upon them.

2. Because we conceive, that the above mentioned protest contains in it matter in the highest degree illegal and unconstitutional, in as much as it claims a right, and presumes to animadvert upon some proceedings of the lower house of parliament. Now we are bold to assert, that whenever any one branch of the legislature shall arrogate a right to animadvert upon either of the other two branches, the branch of the legislature so subject to animadversion would instantly cease to be part of the supreme power; the balance of the constitution would be overturned, and that branch in which this jurisdiction resided, would be completely sovereign; a supposition, which is equally abhorrent to the spirit and to the letter of the constitution.

3. Because we conceive, that this house hath and ought to have the sole and exclusive dominion over its own journals, in like manner as the commons have over theirs; and that the lord lieutenant hath no more right to order an entry to be made upon our journals than he hath to order an entry to be made upon the journals of the commons; and we conceive, that as the crown, though a branch of the legislature, is no estate of parliament, therefore the crown or its representative, can have no jurisdiction over the journals of the estates of parliament, which are the records of the proceedings of the deliberative branches of the legislature, whereof the crown is not one. And we are the more confirmed in this opinion, by reflecting, that there is not a single instance even in the most arbitrary times, of such a power being claimed or exercised by the crown, in Great Britain, over the journals of the British peers. We apprehend also, that

that no matter can with propriety be entered upon the journals of this house, without the leave of this house previously had or implied, as is clearly evinced by the constant practice of reading the minutes by the clerk before the house is adjourned, in order that every peer may have an opportunity of preventing any thing improper from being entered upon the journals. Now on the last day of the last session, no such opportunity was given, the reading of the minutes having been prevented by the prorogation.

4. Because, though it hath been asserted, that the journals of this house, being public records, it is improper that any alteration should be made therein: we are of opinion, that this maxim extends only to the judicial proceedings of this house, not seeing that in other instances there is any reason to distinguish between the journals of this house and those of the other house of parliament, from which matters have frequently been expunged: As it is also notorious, that matters, not of a judicial nature, have frequently been expunged from the journals of the House of Lords of Great Britain. Indeed, were it otherwise, the speaker or even the clerk of this house, or any indifferent person, who might however irregularly, get access to the journal book, might insert therein matter of the most criminal import, amounting even to the crime of treason; and it would be a strange solecism to say, that such insertion must for ever remain, to the disgrace of this house, without any power in us to expunge and purge away such obnoxious matter.

5. Because it hath been declared to be a high breach of the privileges of parliament, that the crown should take notice of the proceedings of either house of parliament, unless the same shall be regularly laid before it; a circumstance, in which we conceive, that the protest of Lord Strafford, however in all other respects irregular and unconstitutional, hath the advantage over those of Lord Sydney and of our present chief governor.

6. Because we think this entry peculiarly improper, inasmuch as the viceroy hath therein, by a breach of the privileges of this house, made our journals the instrument of a breach of the privileges of the other house of parliament, a practice which, if not discountenanced by us, might probably end in a rupture between the two houses.

Leinster, by proxy.

Westmeath,

Laneborough,

Shannon,

Moir, by proxy,

Longford,

Mountcashel,

Knapton,

Lisle,

Lisle,
 Mornington,
 Powerfcourt,
 Charlemont,
 Baltinglafs,

Louth,
 Bellamont,
 Bective,
 Molefworth.

No. LXIII. a.

*The Catholic's Test of Allegiance prescribed by 13th and 14th GEO. III.
 c. xxxv. (Page 427.)*

I *A. B.* do take Almighty God and his only Son Jesus Christ my Redeemer to witness, that I will be faithful and bear true allegiance to our most gracious sovereign lord King George the Third, and him will defend to the utmost of my power against all conspiracies and attempts whatever, that shall be made against his person, crown, and dignity; and I will do my utmost endeavour to disclose and make known to his majesty, and his heirs, all treasons and traitorous conspiracies, which may be formed against him or them; and I do faithfully promise to maintain, support and defend, to the utmost of my power, the succession of the crown in his majesty's family, against any person or persons whatsoever, hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the stile and title of Prince of Wales, in the life time of his father, and who since his death is said to have assumed the stile and title of king of Great Britain and Ireland, by the name of Charles the Third, and to any other person claiming or pretending a right to the crown of these realms; and I do swear, that I do reject and detest as unchristian and impious to believe, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being Hereticks; and also, that unchristian and impious principle, that no faith is to be kept with Hereticks; I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the pope and council, or by any authority of the see of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever; and I do promise, that I will not hold, maintain, or abet, any such opinion,

or any other opinion, contrary to what is expressed in this declaration; and I do declare, that I do not believe, that the pope of Rome, or any other foreign prince, prelate, state, or potentate hath, or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm; and I do solemnly in the presence of God, and of his only Son Jesus Christ, my Redeemer, profess, testify and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the pope or authority of the see of Rome, or any other person whatever; and without thinking that I am or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the pope, or any other person or persons, or authority whatsoever shall dispense with or annul the same, or declare that it was null and void from the beginning..

So help me God.

No. LXIV. a.

From the Debates in the British House of Commons. (Page 444)

As soon as the ceremony of swearing in the re-elected and new members was over,

Colonel Luttrell rose, and reminded the house, that, previous to the recess, he had expressed a desire to say something relative to the very critical situation of Ireland; and that he had been prevented from indulging that desire by a request from an honourable member (Mr. Byng), that he would not introduce any question upon so important a subject in the absence of his majesty's ministers, who having been at that time just appointed, had vacated their seats in that house, and consequently could not be present at the discussion of a subject, which he owned ought not to be agitated without them: that the same honourable member had requested he would speak to them, before he should say any thing relative to Ireland in that house; and assured him at the same time, that he would find the new servants of the crown most ready to do every thing in their power to promote the welfare and happiness of every part of his majesty's dominions.

He

He had given way to the desire of the honorable member, and had conferred with two of the new ministers, and he felt himself bound to say publicly of them, that he found them extremely well disposed to do every thing in reason to quiet the discontents of the people of Ireland; as far as they were concerned he was satisfied; but as he then saw in his place a right honorable gentleman (Mr. Eden) who knew best the situation of Ireland, he certainly wished that before his return the right honorable gentleman would explain to the house, a little of the present posture of affairs in that kingdom.

Mr. Eden thought that in a situation, such as Ireland then stood, the eyes of men were turned upon him, who being a member of the legislature of that kingdom, as well as of this, and at the same time in a ministerial capacity in the former, must be supposed to be well acquainted with the nature of the jealousies and demands of the people of Ireland: he presumed that it would be expected of him to say something of affairs in which he himself had borne a part; and to propose some measure, which should tend to conciliation with Ireland, in the present very alarming situation of that kingdom; it was his intention therefore, before he should sit down, to make a motion on that subject; but first he thought it would be proper to give a short sketch of the history of Irish affairs for the last two years.

(As the public are acquainted with all the political facts that have occurred in Ireland during that period, we shall not enter into them so minutely as Mr. Eden did; we shall therefore only state the general heads, and the observations that he made on them.)

He said, that, when the acts passed in England for enlarging the trade of Ireland, and admitting that kingdom to an equal participation of trade with England, the people of the former, instead of being filled with gratitude for the blessing which had been just extended to them, began to be jealous, lest they should lose that blessing which they prized so much; and, seeing before them the bright prospect which a free trade opened to their view, their first sentiment was fear, that, at some future period, the same power, which had conferred, might resume that grant: and some circumstances occurred, which tended greatly to increase the fears of the people on this head; for in the very next session of the English parliament, Ireland was mentioned in four different acts; so that the Irish were thereby alarmed, lest the power which assumed a right to bind Ireland, even after a free trade had been granted to her, might, when the circumstances of affairs would warrant such a proceeding,

ing, resort back again to that commercial monopoly, which had just been broken; and they then began to look into their own constitution. It was true, that those four acts, in which Ireland was bound, were not of a nature to afford grounds for any such apprehension; for they related to very trifling matters, no ways injurious, one of which, on the contrary, was beneficial to Ireland; but still they created jealousies, and gave rise to many arguments in the Irish House of Commons, where Mr. Grattan had formally complained of them, as subversive of the constitutional independence, as it was called, of the parliament of Ireland. The volunteers all complained of them; and when he mentioned the volunteers, he might be said to mention the whole nation, which, as with one voice, maintained that no power on earth had a right to legislate for Ireland, but the king and parliament of Ireland. In speaking of the volunteers, he must take that opportunity, he said, to bear his public testimony to their steady loyalty, and attachment to Great Britain; and their constant declarations, that the enemies of England should be the enemies of Ireland; but it was not by words only or professions, that they manifested their loyalty; they proved it by their deeds; and when the combined fleets threatened the country with an invasion, it was impossible to describe with what alacrity and spirit they made a tender of their services to the lord lieutenant; and this too without any previous communication among themselves, or concert whatsoever: for their noble and generous behaviour at that alarming moment, his excellency has thought it necessary to express his acknowledgements to them from the throne. Previous to that session, the volunteers, without marking any disposition to those measures, which they had since adopted, were harmlessly amusing themselves with reviews, and military parade; and such an opposition was expected in parliament, as every free government would wish to see formed, as such a constitutional opposition must necessarily make ministers more watchful, and attentive to their duty. When the session was opened, various were the questions introduced into the House of Commons, which he had not been able to approve, and which appearing to a majority of the house, in the same light as they did to him, he had been able to postpone: one was for a declaration of the rights of Ireland; another respecting the mutiny-bill; a third for a bill to quiet the proprietors, who held estates in Ireland, under British acts of parliament. All these measures had appeared to the majority of the house, as very inexpedient; but still he must observe, that even the majority which had supported him, were friends to the principle

principle of every one of these questions; and therefore they were only postponed and got rid of by the previous question; but not rejected: At length, a gentleman of very great character and abilities (Mr. Yelverton) wishing to steer a middle course, to satisfy the demands of the volunteers, respecting a declaration of rights, and at the same time to prevent the mischiefs, or at least the inconveniences, which might flow from such declaration, unqualified, and untempered, had brought in a bill for inacting into laws in Ireland, several statutes, which had been made in England: in this bill he himself had taken no active part; but he would say thus much of it, that it had his most hearty concurrence. As this bill would certainly obviate the principal inconveniences, that would otherwise result from a declaration of what the people of Ireland called their rights, and as he saw plainly, that such a declaration could no longer be opposed with success, he would now give way to necessity, and no longer oppose himself to such a measure; for in the present state and disposition of Ireland, he would assure the house, that they might as well strive to make the Thames flow up Highgate-hill, as to attempt to legislate for Ireland, which would no longer submit to any legislature but its own. What use the Irish would make of their legislative independence, he could not tell; but if he could bring himself to think, that they would avail themselves of it in making any foreign connexions, injurious to the trade or interest of this kingdom, he was free to say, that sooner than agree to such an independence, England ought to risque a good deal. But he believed a sensible, judicious people, like the Irish, would always see that the interests of both kingdoms were so connected, that they could not be separated without the greatest loss to both; and therefore he trusted, that the Irish would never attempt to break the connection; he trusted also, that they would adopt, from time to time, such laws of this country, as it would be for the interest of both should be in force in both kingdoms, and as no Irish bill could pass into law, without the previous consent of the king, in his council of England, so there was no danger that the independence of the legislature of Ireland could be made use of to make laws injurious to the sister kingdom, the English council being responsible for every advice they gave their sovereign.

Exclusive of the declaration of rights, the volunteers, or in another word, Ireland, had called for an habeas corpus act, which as it was proper she should have, had not been opposed; and now it was part of the law of Ireland. They had called also for an act to make the judges independent of the crown, by
making

making them hold their commissions *quamdiu se bene gefferint*; this was a reasonable demand, and had consequently been complied with; for a bill was brought in to that effect; and it was now in its progress through parliament. An alteration of the mutiny bill was another thing which they looked for; he must needs say, he could not see the danger, which the enemies to what was called the perpetual clause in that bill, apprehended from it; however, as he made no doubt but the people of Ireland would be ready to adopt such regulations as the parliament of England might from time to time make for the army, so he flattered himself that the ground of apprehension, lest the regulations in England and Ireland for the army should be different, would be removed: he saw no reason, why the wishes of the latter should be any longer opposed on this head; nay, he thought they ought not to be opposed, since new jealousies had lately been excited on that subject by a transaction in England. It was understood in Ireland that the name of that kingdom should no longer be inserted in the English mutiny bill; and still, when that bill was brought in, the word Ireland, as usual, stood part of it: It had indeed been since struck out, and the bill passed without it; but the minds of the volunteers were not easy on the subject. A modification of Poynings' law was another object, which the Irish had greatly at heart: On that he would not enlarge; but gentlemen would see that it should be granted; England had nothing to fear from the increased power of the Irish parliament, as the consent of the king would still be necessary to sanctify all their acts.

Having made these, and various other observations, he moved for leave to bring in a bill to repeal so much of the act of the 6th of George I. as asserted a right in the king and parliament of Great Britain to make laws to bind the kingdom and people of Ireland. He did not wish to precipitate matters; but gentlemen must see the necessity of doing something speedily, and without the loss of a moment, to prevent those consequences, which it was not for him so much as to think of: they all knew that the parliament of Ireland was to meet to-morrow se'nnight, and Mr. Grattan would on that day propose to the House of Commons, a vote for a declaration of rights. Would it not therefore, says he, be expedient to anticipate the wishes of Ireland on that head; and, to convince her of our sincere intention, give her every security in our power for the permanency of her constitution, and of that trade, which she is so anxious to preserve? As for himself, he must set out on his return for Ireland, either that night or to morrow morning, and he should be happy to have

have it in his power to carry over with him the agreeable tidings, that the parliament of England was ready to give the Irish every satisfaction they could reasonably require.

He did not desire that the bill which he moved for should be immediately passed; all he looked for was a kind of pledge from that house to carry over with him to Ireland, that the English parliament would not oppose the favourite wish and determined resolution of the Irish: the bill might lie over, until it should be known whether it would satisfy the Irish parliament or not: if it should, then it might be passed into a law; if the partial repeal he proposed should not please the Irish, then he would advise the total repeal of the 6th of George I. But if neither partial nor total repeal would satisfy them, then he certainly should leave the law, as it now stood, without any alteration whatever.

Mr. Courtenay rose, and said he would second the motion; Lord Newhaven rose to do the same thing, and Colonel Luttrell was not willing to give up the point to either of them. After some dispute for the priority in speaking, the chair decided in favor of Lord Newhaven, who said that no man was less connected with the present administration than he was; and yet he thought it would have been proper to have given the new administration a little more time to turn their thoughts to the affairs of Ireland: however, as the motion had been made, he rose to give it his most hearty support: because he was perfectly satisfied that the measure was now become absolutely necessary.

Colonel Luttrell said, that when he rose to second the motion, it was under the idea, that such a measure as was then proposed, would give general satisfaction to Ireland; if he thought it would not, he certainly would not second such a motion; because he would not consent to the repeal of the 6th of George I. unless in case of such emergency as the present, when he thought by such a repeal, he might quiet the minds and conciliate the affections of the people of Ireland; and therefore he called upon the right honourable gentleman, who made the motion, to tell the house, whether he thought such a measure as he had just proposed, would produce the salutary effect that was expected from it.

Mr. Eden could not undertake to say, that the measure proposed would give complete satisfaction to Ireland; and therefore would not pledge himself, that it would; but he knew that so critical was the situation of that country at present, that if the motion then before the house should be rejected, he
would

would not answer for the consequences. The speaker read the motion from the chair.

Mr. Secretary Fox then rose, and claimed the attention of the house in a particular degree. He said he never was more astonished than at the proceedings of the house upon that day, and at the manner in which the right honourable gentleman had acted. For first an honourable gentleman had risen, and re-stated to the house what he had mentioned before the recess, without making any motion whatever, relating merely the circumstances of the country of Ireland, and the necessity that there was for serious and speedy measures being adopted for quieting the jealousies subsisting in that kingdom. Upon this another right honorable gentleman, without any previous communication, or having consulted with any person whatever, rises up, and, after many observations on the circumstances and state of the kingdom of Ireland, concludes with a motion for declaring Ireland to be totally independent of the legislature of Great Britain. The right honorable gentleman said, he hoped it would not be expected that he should give an answer to all the observations that had been made; they had been truly curious; and especially as they were thrown out, and the house moved upon the very day when the new servants of the king met the representatives of the people in parliament, and before they could have it in their power to propose any measure whatever with respect to Ireland. The hurry of the right honorable gentleman was such, that he came down to the house, and moved this proposition, which was to divide the kingdom of Ireland from the legislature of Great Britain, without giving his majesty's ministers any time to act in their new situation, or come to parliament with such plans as would in their opinion quiet the disturbances, and restore harmony to both nations. The right honorable gentleman had come over from Ireland to this country; and it was no secret that he had brought with him a letter of resignation from the lord lieutenant. His majesty's ministers had scarcely done reading that letter, when they received another from the right honorable gentleman himself, informing them that he declined communicating to the confidential servants of the crown any knowledge which he might possess relative to the circumstances and state of Ireland, to tell them any facts, or to state any opinion upon them whatever. In the letter of resignation the Earl of Carlisle had said, that he did not give any account of the situation of the kingdom of Ireland, because his right honorable secretary was coming to England, who would be able to give them the most complete information

information of every particular. But the right honorable secretary chose to withhold this information from his majesty's ministers, and to come to this house without communicating with any one, without taking any advice, and without giving any time to the new ministers to move for a repeal of the 6th of George I. He had believed that the purpose of the right honorable gentleman's visit to this country, was to give his majesty's ministers that information, for which the lord lieutenant referred them in his letter of resignation; but now the true purpose of his journey was discovered. It was not to give information to government, but to come to that house, and, on the first day after the recess, to make a most unseasonable and unwise motion, which, he no doubt imagined would considerably embarrass the king's servants. If this were the sort of opposition, which they were to meet with in that house, he had too good an opinion of the candor of parliament to fear it.

The disposition of the king's ministers towards Ireland, he believed, was sufficiently understood; and that disposition which they had expressed, when out of office, he sincerely believed they would now maintain, and would take the speediest and most likely means of giving compleat satisfaction to the people of Ireland. The motion came with singularity from the right honorable gentleman, who was one of those persons who had constantly talked in such high language of "the unity of the British dominions," and who thought proper to resist every claim that was made both by the people of Ireland and the people of America to that just liberty, and those rights and privileges they inherited under the constitution. If the administration, of which he had been a member and a partizan, had been as ready to yield to the pretensions of Ireland, when those pretensions were conveyed in terms of most respectful regard, the house would not have been insulted on that day with a motion from one of the men who had constantly and uniformly denied every request, and withheld every boon that was either sought or wished for by our sister kingdom. But the right honorable gentleman seemed yet to have the principles of his late friends, and to act entirely upon their plan; he seemed to wish to divide the two kingdoms; and, like them, after talking of the unity of the British dominion, to strive to dismember the British empire. He had come post from Ireland for the purpose, as it should seem, of moving this repeal of the 6th of George I. in the House of Commons; and this he thought it his duty to do, though he did not conceive it to be his duty to give any account to government of the state and condition of Ireland. The na-

ture of his journey was now perfectly manifest. He had come in this very great hurry—had contrived to come on the very first day of the meeting after the recess—on the very first day of the ministers taking their seats in the house—to propose a thing which demanded the most serious enquiry, the most deliberate investigation, that the wisdom of this country and of Ireland could give it. If his late friends had had a twentieth part of his hurry, if they had had a twentieth part of his present disposition to yield to the requisitions of Ireland, we should not now be brought to the distress in which we are at this moment. If the late ministry had conceded when they might concede with grace, if they had given an extension of commerce, as was the right of Ireland, as well as it was for the benefit of England, when that extension was decently called for, and they had taken that occasion finally to settle the relative situation of the two countries, it might have been done without difficulties, and all our present embarrassment, with its consequences, would have been avoided. But they never looked beyond the present instant, they never provided for what was to come, they did things neither effectually or finally, and the right honorable gentleman seemed still to partake of the same quality; for he was only inclined to do one thing, without taking time to consider, or seeming to care whether what he did would be sufficient, whether it were all they desired, and whether, when they had procured the repeal of one part of the act of the 6th George I. they would not afterwards think that the other parts of that act should also be repealed. He was sincerely of opinion, that this was not the way of settling the jealousies, or of restoring tranquillity to Ireland. His majesty's ministers, he could assure the house, had not lost a moment in bringing forward the subject. Out of the short time that they had been in office, they had employed a considerable part on the affairs of Ireland. He wished to God that their predecessors had been as active, and that they had lost as little time as those who were now entrusted with the government of this country. If the right honorable gentleman had given the proper communications to government, perhaps the ministers would have been prepared this day to have brought forward a proposition; as it was, he could say, that before many days elapsed, before many hours, the subject would come before the house in a regular way. His majesty's ministers, when out of office, declared their opinion with respect to the claims of Ireland. They had said, that those restrictions, with regard to commerce, under which they laboured, were exceedingly impolitic as well as cruel; and that it would be for the benefit of
England

England as well as of Ireland, that there should be such an extension of trade, and such settlement of connexion, as would quiet the jealousies of the one, without hurting the interest, or lowering the rank of the other. It was therefore to be presumed, at least, that they would act up to their former declarations; he sincerely believed that they would do so; and he could assure the house, for his own part, that he was entirely disposed to heal the fore minds of our fellow-subjects, and to prevent the unhappy consequences of division and tumult.

The right honorable gentleman had talked of the measures of the volunteer army in Ireland, during the last summer, as a matter of diversion and amusement. This was language which he confessed he did not expect to hear. He should not have been surprised if the right honorable gentleman had said of them, that their measures were alarming to the government of Ireland; it might have been said with truth, that they had been conducted with bravery; perhaps that they originated in necessity; certainly in the love of their country, in virtue, and in the support of their independence, as a people; but that the secretary to the lord lieutenant, and one of the ministers of the kingdom, should talk of their measures as a matter of diversion and amusement, was beyond all the absurdity that he had ever heard. The right honorable gentleman had said, that the opposition which the government of Ireland had met with, was that sort of opposition which a government would always choose to have. Was it so? Was an opposition composed of all the integrity, the talents, and the respect of a country, such as a ministry would choose to meet with? An opposition composed of a Charlemont, a Grattan, a Burgh, a Yelverton, a Flood, &c. was not to be wished for by any ministry, who desired to stand well with their country. The Lord preserve him from such an opposition! He would not wish to be the minister who proposed measures, which such men as those must in their hearts oppose. The right honorable gentleman had, by a strange mode of reasoning, called the administration of the Earl of Carlisle fortunate and successful. Fortunate and successful surely must that administration be, which concludes with a motion from the secretary for reducing this country to conditional submission, and humbling her at the feet of Ireland! Fortunate and successful must that administration have been, when the secretary, after opposing every claim that is made, comes over post, and declares, that all his opposition is fruitless, and that the requisition must be complied with! Fortunate and successful

ful surely the administration of the Earl of Carlisle could not be called; but in denying that the noble lord had been successful in his administration, he by no means intended to say, that he was to blame. He believed it was the fault of the late ministers of this empire, whose total inattention to the affairs of that kingdom, had made a part of that system of negligence and lethargy which prevailed throughout. He had always thought, that the affairs of this country under their management had suffered most materially; that they had taken away the pride which was natural to Britain, and had brought us into most alarming circumstances. But within the last fortnight he had received such additional information, and such insight into the affairs of that country, that all his former conjectures were now ripened into complete judgments; all his former apprehensions were most alarmingly increased, and he found that our situation was much worse even than he dreaded. Bad as he always thought those ministers were, he had never believed them to be so inattentive, so remiss, or so totally careless of every thing that regarded the interests of their country, as he had found them. He trusted, that the present servants of the crown would think it their duty to make up a state of the affairs of the country as they found them at this time, and lay it before parliament for their information. This was a digression which the house would pardon. It was, however, not totally foreign from the question; for their neglect of the affairs of Ireland was one of the most material parts of their guilt.

The right honorable gentleman said, that he trusted in the candour of the house for the confidence which they would have in the intentions of his majesty's ministers towards Ireland; and that they would believe, that they meant and wished most ardently to bring the matter forward in the most speedy manner. He would again assure them, that it had always been his political sentiments, that it was unjust and tyrannical to attempt to hold a country in subjection, and to govern against the will and opinion of the people. It had always been his sentiment with regard to America as well as to Ireland, that they could not, much less ought not to be governed by laws which they rejected as unconstitutional. All just government must consist in the perfect consent, good will and opinion of the people; it was the best and purest system of government, where harmony prevailed; and without it, it was not government, but usurpation. This was always his idea on the subject, and he maintained it in opposition to all theories of men, because it was the only system, which in the end was practicable. It was certainly the most
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consistent with true policy, as well as justice. To bring about a *final* settlement of the dispute between Great Britain and Ireland; to state and precisely to declare, not for a moment, but for ever, what was the relative situation of the two countries with respect to each other; to take in and conclude all points of difference, and to establish such a system of connexion, intimacy and relation between them, as should be immediately and permanently for the interest of both, would require much discussion, and a considerable deal of time; for both countries must come to the discussion of the great and important subject, that by mutual consent it might be settled for ages, and not, as had been the conduct of the late ministers, sear up the wound for a moment, without completing the cure. When those ministers agreed to the extension of the trade of Ireland, they should have ultimately settled the claims and fixed the situation. They failed to do this at the proper time, and they ought to answer for it to their country. That measures, however, would be taken for accomplishing this desirable end, he might safely assure the house. He thought that deceit was always pernicious, and he wished to speak with as much openness and information as the nature of his office could justify. He would, therefore, move for the order of the day, as the best means of postponing the motion of the right honorable gentleman. He wished for this to give time to the king's servants to determine with precision on the plan to be offered to both countries; and he had the utmost reason to hope and believe, that the matter would be finally settled without any of those consequences, which the conduct of the right honorable gentleman in this business had been calculated to produce. He wished, he confessed, that the right honorable gentleman would withdraw his motion, as the best means; and by which an honorable friend of his, Mr. Crewe, would be able to move for leave to bring in a bill, which he had introduced some years ago, for disqualifying excise and custom-house officers from voting at elections. This was a part of the plan, which had been formed when they were out of office, for reforming the constitution of parliament, and which they seriously meant to undertake now with the same zeal and attention as before. Not a day would be lost until the task of reducing the improper influence of the crown, and settling the representation of the people upon more equal grounds, was fulfilled. The right honorable gentleman had said, that his opposition to the various motions that had been made in the Irish House of Commons had been supported by great majorities. He said, that he wished these majorities had been
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been less: it was the greatness of these majorities, and the manner, in which they were constituted, that had given offence and jealousy to the people of Ireland. They, no doubt, desired to see a free representation, declaring honestly their voice in the senate. To correct the abuses in influence and representation, would be the steady endeavours of his majesty's ministers. He concluded with moving for the order of day; this he would not have done upon any other account, than that the motion was of such a sort, and came at such a time; but he hoped, that the right honorable gentleman would yet withdraw it.

Mr. Eden rose to explain what he meant by saying the opposition to government in Ireland was such, as no person need be fearful of; it was not to infer, that they were men of no respect or talents, but that they were men of such moderation, that no fear was to be apprehended from them. With respect to the volunteers taking up arms as amusement, they certainly did so at first, and at the same time with a laudable zeal to protect the country from the danger of an invasion, which was said to threaten it; but that amusement had grown into a formidable body of men, who seemed determined to have a total repeal of the declaratory law, without properly weighing, whether it would not be in some measure detrimental to them. He mentioned again, that he should leave England to-morrow; and was fearful, that if the motion were not carried into execution, notwithstanding what the right honorable gentleman (Mr. Fox) had said of the intentions of government, it would be too late.

Lord Mahon said, he thought it extremely indecent for the right honorable gentleman, who spoke last, to bring in the motion, as he had refused giving his majesty's ministers the information respecting Ireland, that it was his duty to have done. His lordship read the preamble of the act 6th George I. which asserted, that the reason of its being made, was the abuse of power committed by the House of Peers of Ireland. The declaration of the right honorable secretary (Mr. Fox) had been such, he said, as ought to appear fully sufficient, that it was their intention to take up the business with all possible dispatch.

Colonel Luttrell said, he hoped that he stood free from any censure in the business; that the sole reason of his calling on the right honorable gentleman, was from a certainty, that, as he was just arrived from that kingdom, he could be able to give the house much information on the state of affairs; that he

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was himself at first much inclined to second the motion; but as the right honorable secretary (Mr. Fox), had so openly declared that councils had already been held, and that every consideration possible was meant to be given to the business, he thought it would be best for the right honorable gentleman, (Mr. Eden), on his return to Ireland, to state fairly to the house, that the present ministry had fully declared their intentions of redressing the grievances complained of, and to desire they would postpone their decision for a short time, until they saw what ministers did do on the subject.

Lord Newhaven said, he by no means would wish to embarrass government; that he believed the right honorable secretary on the treasury bench was sincere in his declarations; yet he was fearful of an impression going over to Ireland, that we had rejected the offer of repealing the act complained of in the motion.

The Right Hon. General Conway owned himself surprized that any person, who was a servant of the public, (for as such he undoubtedly considered the Irish secretary), should dare to withhold information from his majesty's ministers, because they were not a set of men that were favourable to the wretched system that had occasioned the dispute of the present hour. Since the new ministers had come into place, no time had been lost in thinking of the most speedy and effectual means of quieting the troubles that unfortunately raged in Ireland; no less than three or four cabinet councils had been held solely on that business; and the new appointed lord lieutenant would be empowered with such terms, as he trusted would establish a firm and happy union between the two countries, which were so inseparably connected together by every tie of interest. It was extremely indecent in the right honorable gentleman who moved the business, to bring the matter on in the manner he had, without ever hinting the least idea to any of his majesty's ministers of his intention, or knowing whether ministers did not intend themselves to move something similar to it.

Mr. Eden said, he found it absolutely necessary to declare the whole of his transactions since he came to England. He arrived in town on Thursday last, he said, with a letter of Lord Carlisle's resignation, and was surprized to find that a new lord-lieutenant had been appointed in his stead, two days previous to his arrival, by which it might possibly happen, that his Grace the Duke of Portland would be the messenger of his own appointment: that treatment he thought extremely indecent: it was not using Lord Carlisle well, to recall
him

him without any notice, or alledging any fault against him; making no more ceremony in the removal of him, (although business of the kingdom might materially require his attendance), than they would in the removal of a chancellor of the duchy court of Lancaster, or any other sinecure place. He likewise found on his arrival, that the lord-lieutenancy of the East-Riding of Yorkshire, was also taken from his lordship: he looked on that as an additional insult offered to his lordship; and he had therefore determined to hold no conference with men, that had treated the noble earl in such an unprecedented manner. He had offered to wait on any of the ministry that wished to see him; but he had undoubtedly declined giving his opinion on any point whatever.

Mr. Secretary Fox said, with the right honorable gentleman's leave, he would read his own letter, which he did, stating his reason for not giving them any information on account of his thinking Lord Carlisle ill treated. It was extremely curious, he said, that the right honorable gentleman should think Lord Carlisle ill-treated, by a successor being appointed, when he had written home a positive and unconditional letter of resignation. He had the honour, he said, to be well acquainted with Lord Carlisle, and was certain that he was possessed of too much sense to think himself ill-treated in his resignation being accepted. With respect to the Marquis of Carmarthen being restored to the lord-lieutenancy of the East-Riding of Yorkshire, it was a measure so proper, that he should have thought himself no ways fit for the trust reposed in him, if he had neglected one moment after he came into office, to reinstate that nobleman in a post of honor, which had been shamefully taken from him, on account of his giving a free and honest vote in the house of Peers. The Duke of Portland, who was to succeed Lord Carlisle, would, he trusted, have power to form a strong and permanent union, so essential to the interest of both kingdoms, and which would, in his opinion, be far better than a hasty, undigested motion, artfully introduced to seek a little popularity, although the honorable gentleman had disclaimed any such idea.

Mr. Martin, and Lord George Cavendish, jun. held nearly the same language.

Mr. T. Pitt could scarcely recover from his astonishment, that any man, a servant of the public, should dare to refuse giving every information in his power, when called upon by his majesty's ministers; nor was he able to express sufficiently his indignation at finding a member of that house introduce
so

so slightly a motion of so much consequence, that upon it might depend the salvation of Great Britain and Ireland.

Mr. Burke adverted to the arduous situation of the new ministers, when so many objects presented themselves to their consideration; the state of America, of Ireland, of our finances, &c. The motion before the house went, in some measure, to tear asunder the connexion between England and Ireland, and yet the house was to be hurried into a decision in a moment upon a question of such magnitude: he would not give an opinion on the subject; he would not say whether the 6th of George I. ought, or ought not to be repealed; but he held that nothing could be more mad than to call upon parliament to proceed to such a measure in a moment, without giving time for any deliberation. He then mentioned the necessity of bringing in his own bill as soon as possible, for regulating his majesty's household.

General Conway once more called upon Mr. Eden to withdraw his motion; but not finding that gentleman willing to do it, he grew very warm, and said, that for having introduced such a question, he ought to have a motion passed upon himself. Here there was a great cry of hear! hear! move! move!

Mr. Herbert said, he left Ireland about a twelvemonth since; that he was perfectly convinced the people of that country wanted nothing more than their rights; and as he was thoroughly convinced his majesty's ministers were sincere in their declarations, he thought the right honorable gentleman's motion quite unreasonable.

The Secretary at War (Mr. T. Townshend), begged the house would recollect, that in every business where Ireland was concerned, he had uniformly been an advocate for that country; and if the late wicked ministry had listened to the prayers of the different petitions from that kingdom, the present alarming crisis had never happened. He had, he said, as high an opinion of the honor of Lord Carlisle as any man breathing, and stood up for his honor as much as his secretary had done: his abilities were such as required but little help; they would always shine forth and shew themselves. His lordship, he was confident, would not approve of the conduct of his secretary, in withholding his knowledge of the state of Ireland from the present ministry, on account of any little paltry personal grievance. His lordship, he was certain, did not resign on purpose to be pressed to stay; he was a nobleman that would de-

spite such conduct, and would not suffer himself to be made the cat's paw of his secretary, or any other man breathing.

The motion to-day, he said, so far from being meant as a conciliatory measure, was intended as a fire-brand, to kindle and stir up the flame between the two countries, by first proposing a thing, which it was impossible gentlemen could instantly decide on, and then threatening, that if it were not instantly complied with, he should be obliged to acquaint the House of Commons of Ireland, that it had been rejected. He advised the right honorable gentleman to withdraw his motion, and not trouble the house to divide.

Mr. Baker said, he wondered at the learned gentleman's declaration, that there was no difference between withdrawing a motion, or getting rid of it by reading the order of the day. That learned gentleman was capable of seeing and making proper distinctions if he chose it, he was therefore not a little surprised to hear him argue in so unaccountable and extraordinary a manner. He expressed his doubts whether Mr. Eden would make a fair representation of that day's debate in Ireland.

The Speaker called Mr. Baker to order, and said, no member could, consistently with the rules of the house, argue in that manner of another member's fairness.

Mr. Baker said, he spoke of Mr. Eden as a minister, and not as a private man. In the latter capacity, from early habits of friendship and intimacy, he had a great respect and esteem for him; but though he wished him personally no ill-will whatever, he thought a motion of censure necessary, if the motion were not withdrawn.

Mr. Courteney said, that no man in the house listened with more pleasure than he did, to the just and liberal sentiments of the right honorable gentleman on the floor, (Mr. Fox), as declaratory of the wise and generous system of policy meant to be pursued by the present administration, in respect to Ireland. Yet he was extremely concerned and surprised to hear the right honorable gentleman assert, that the present motion (if come into), would be equivalent to unconditional submission from his country, and a relinquishment of all her rights over Ireland.

He said, he little expected such a construction from the right honorable gentleman. Unconditional submission was a term often and justly stigmatized by the right honorable gentleman himself in respect to America, and which he never expected to have heard in a debate, in relation to Ireland.

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No man in that house hated the term more than he did. The people of Ireland were too generous, too spirited, and felt too much for the honour of this country, to expect or demand such a humiliation from Great Britain.

He declared, that from his present correspondence with gentlemen, with whom he had the honour of serving, and who now served in the volunteer corps, and who would be found ready at every hazard, with temper, but with firmness, to maintain their just right, he found the general opinion of the people to be, that nothing but a repeal of the exceptionable part of the 6th of George I. which was stated with so much accuracy, and pressed with so friendly a zeal to Ireland, could ever allay the jealousies of that country, and totally efface all apprehensions at the overbearing authority of Great Britain. This, he observed, was the well-weighed and settled opinion of men, to whose animated and generous exertion it was owing that Ireland was at this day a part of the British empire; that nothing was so dangerous as provoking men, who, by their uniform and loyal conduct for a series of years, had shewn themselves slow to anger; and who had connected a due execution of the laws, and maintenance of the internal civil police of the country, with those constitutional principles of liberty, which they were determined to support.

He added, that if it were not presumption to suppose, that the opinion of an individual could add weight to that of a whole nation, he should not scruple to assert, that what the honorable gentleman had declared to be the claims of Ireland, were perfectly reasonable and well founded; and as an evidence that these were his real sentiments, he pledged himself on all occasions, as well as the present, to second the same, or even a more comprehensive motion, to ascertain and establish clearly, and beyond all possibility of doubt, the just and constitutional rights of Ireland.

He said, he would not enter into a formal discussion of the right of judication in the House of Lords in England, that not being the direct object of the honorable gentleman's motion, though it had been incidentally introduced into the debate, further than to observe, that the assumed jurisdiction of the English House of Lords over the courts of law in Ireland was not in practice till long after the restoration, and then arose from necessity; for there was no parliament convened for many years, and consequently no House of Lords sitting: in order, therefore, that the subject might not be deprived of the right of appealing, it occasioned the necessity of allowing appeals to the House of Lords in England. So much, Mr. Courtenay said, he had remarked, in re-

spect to that part of George I. which related to judicature: with regard to that part of it, which asserts the supremacy of the English over the Irish legislature, he should only observe, that clause was introduced unnecessarily, and was not called for by the preamble, the professed object of which was only to maintain that superintendant judicature of the House of Lords over the courts of justice in Ireland: but the act goes much beyond that point, when it maintains the supremacy of the legislature of this country over Ireland. In short, what the act professed to do is limited to the judicature; and what it enacts, is insidiously extended to the supremacy of one legislature over the other. Besides, he was surprised, that gentlemen seemed to consider their claim of exemption from the assumed control of that country, as a novelty, when, in fact, the Irish, whenever constitutional points were discussed, maintained their exemption from the British legislature as their undoubted right; but having at that time only reason on their side, they submitted through necessity: at this auspicious period, however, when they not only had reason to support their claims, but volunteers to enforce them, they trusted, that by the united assistance of both, their loyal requisitions would be attended to, and their just rights established.

He declared he could not conclude without saying a word to the reprehension, which had been given to the honorable gentleman who had made the motion, as if it had arisen from personal pique and disappointment. He said, he was persuaded, the honorable gentleman had acted in England that day as he had acted in Ireland during the whole course of his administration, from a sincere anxiety to promote the happiness and welfare of both countries; and that it was from that conviction, and not from any concert or previous information he had taken the liberty of seconding the motion, of returning the honorable gentleman thanks for it; and of declaring, that whenever that motion should be made again, he would again do himself the honour to second it. He added, that so little was he acquainted with the intention of the honorable gentleman to move the present question, that he even apprehended the honorable gentleman had acted by the approbation, and in concert with the present administration. He was induced to believe this, by what the honorable gentleman had mentioned of the precipitate recall of Lord Carlisle, as he conceived, that in order to give the noble lord credit and popularity on his recall, his secretary had been permitted to move for the repeal of acts, which would come as a general obliging condescension from this country,

country, instead of super-inducing a necessity in the Irish House of Commons to come to an explicit and strong resolution of what they and their constituents conceived to be their just, invariable, and constitutional rights.

He concluded with declaring, that in his earnest desire to second the motion, he had no other motive than zeal to promote a cordial conciliation between the two countries; and to remove for ever all cause of jealousy and dissatisfaction; and he sincerely trusted that this debate would tend to no other consequences.

Mr. Alderman Townshend spoke with indignation of the conduct of the right honorable gentleman who came over to this country: he withheld all information from government; forgot or neglected his duty as a servant of the public; and just, because he chose to fancy that the Earl of Carlisle had a feather plucked from his cap, he refused to serve his country in one of the most critical and alarming moments that we ever saw. He thought that this conduct was so truly improper and dangerous, that parliament could not, with any regard to its own dignity, over-look so flagrant a neglect of duty in one of the public servants. Was the right honorable gentleman to conceive, that he was the servant of the lord-lieutenant of Ireland, and not the servant of the public; or that he could thus mix personal considerations with official duty? It was certainly fit and candid, that his majesty's ministers should be allowed the necessary time to frame and bring forward their measures, and not on the first day of their appearance in the house be treated, as they had been by the right honorable gentleman. The obligation which that gentleman was under, as one of the ministers of Ireland, to give every aid and assistance to government which he could do, and by which the interest of his country might be promoted, was of so serious a nature, that it ought not to be sported with; and he should not be surprised, if, when he went back to the country of which he is a minister, the House of Commons should impeach him for his neglect of duty. The right honorable gentleman declared, that he absolutely believed, that if the order of the day, or the previous question, should be put upon his motion, it would produce the most alarming consequences. If this then were his opinion, why did he force the house to this dangerous measure, by persisting in his motion? He would, and he ought to be responsible for all the consequences of his conduct.

Mr. Mansfield (late Solicitor General), defended Mr. Eden's conduct; but declared it appeared to him to be a matter perfectly indifferent whether his
honorable

honorable friend withdrew his motion, or whether it were got rid of by a previous question, or by reading the order of the day upon it. Mr. Mansfield said, he was somewhat amazed to hear his honorable friend treated with so much harshness, and his motion talked of, as if it were taking the house by surprise. There was not a gentleman present, he conceived, who must not be well aware, that Ireland was in a most alarming and critical state. The journals of the Irish parliament, and all our own newspapers, plainly evinced the fact. It therefore struck him as an idea perfectly absurd, to call his honorable friend's motion precipitate or rash. It was in his mind highly necessary; but if the house were of another opinion, it mattered not, in his idea, whether it were got rid of one way or the other.

Lord Newhaven hoped, that it was perfectly understood in that house, and that it would go forth to the world, that his majesty's ministers did not reject this motion from any dislike to the business, but that they would, with all possible speed, give every attention in their power to so important an object.

Mr. Eden rose, and wished to know if he gave up his motion, whether the right honorable secretary would pledge himself that a repeal of the act of the 6th of George I. should take place.

Mr. Sheridan said, he could not sit still and see a question of this importance, which was then just going to be put from the chair, rejected or evaded in the manner which it was likely to be. He could not dismiss his hopes that the right honorable gentleman, who had moved it, might yet be induced to withdraw it; and he was convinced the greatest mischief would follow its being otherwise disposed of. The learned gentleman, who was the only person who had attempted to defend the extraordinary conduct of the secretary for Ireland, had taken great pains to prove, that it made no difference in what manner the motion was got rid of. He differed entirely from him on that head; and he had the authority of the honorable gentleman himself, who had made the motion on his side, for he had expressly declared, that if the motion were evaded by the previous question, or by moving the order of the day, he apprehended the most serious mischiefs to Ireland would follow. He called, therefore, upon that honorable gentleman, if he had any real feeling for the interests and peace of either country, not to persevere in bringing on the mischiefs which he acknowledged he foresaw. Mr. Sheridan then proceeded to state the whole of Mr. Eden's conduct, which he attacked with great acrimony, as scandalously unfair to the new ministers, who, he was convinced, had the fairest

fairest intentions towards Ireland; yet if he declared himself so decided an enemy to the principle of the declaratory law in question, which he had always regarded as a tyrannous usurpation in this country, that though he could not but reprobate the motives which influenced the present mover for its repeal, yet if the house divided on it he should vote with him. With regard to the fair representation of the intentions of the new ministers, which the honorable gentleman had been called on by the noble lord, who seconded the motion, to give to the Irish on his return, he could give but little credit to his intentions on that head; it was his business, and his direct and explicit duty, to have given a fair representation, and full information of the state of Ireland to his majesty's present ministers here, for which purpose he had been sent to London. He had deserted that duty, and from motives of private pique and resentment, had with-held all information from them on the subject. It was but reasonable, therefore, to suppose, that the same principles would direct his conduct on his return to Ireland, and the same little motives of resentment would lead him to with-hold from the parliament of that country the satisfactory information of the intentions of the new ministers, though it were equally his duty to report it.

He then animadverted on the assertion of the solicitor general, that every attention had been given by the late ministers to prevent these jealousies rising in Ireland, which he said was so far from being the case, that the whole of the present commotions there were chargeable to their scandalous neglect, in having suffered the name of Ireland to be inserted in no less than five British acts of parliament; one of which had been published by the secretary himself in the Dublin Gazette, after they had given the Irish the most solemn assurances, that this claim should never be attempted to be exercised in a single instance. Mr. Grattan had produced these acts in the Irish House of Commons, and this apparent violation of faith with them it was, which had roused the present spirit of jealousy and resentment in their parliament, as well as among the volunteers. He concluded with repeating his call on Mr. Eden, to withdraw his motion, and not to mangle and disgrace a good and honorable cause, through the selfish motives of party, pique, and private disappointment.

The speaker was again proceeding to put the question, when

Mr. Eden rose once more, and, after some hesitation and explanation, consented to withdraw his motion.

No.

No. LXV. a.

Debate upon Irish Affairs in the British House of Peers. (Page 477.)

MARQUIS of Rockingham rose, and entered into a long, computative, and arithmetical detail, shewing the comparative ability of Ireland to bear burdens, to what it had been at former periods, not far distant. His lordship's opening was chiefly directed to meet such objections as he imagined might be made against the proofs he meant to adduce, of the real distress of Ireland. His detail was accurate and important, as it presented two objects worthy the attention of the British administration; first, so far as the consequences might be supposed to affect them personally; secondly, as it might probably affect, and that in a most serious manner, the people of Great Britain. He first stated the revenues of Ireland, the outgoings and savings in the year 1775, during the administration of the late Marquis of Hartington, afterwards Duke of Devonshire, and proceeding regularly, through each successive administration, till he brought it down to the present viceroy, Lord Buckinghamshire. In 1755, and for some years after, the whole of the civil and military establishment amounted, for the two years, that being the mode of voting the parliamentary grants of that kingdom, to about 1,200,000*l.* on an average, 600,000*l.* per annum; whereas, of late years, the grants were little short of 2,000,000*l.* or 1,000,000*l.* per annum. At that period too, in the course of five years peace, the debts contracted during the preceding war had not only been paid off, but there was a surplus of 260,000*l.* in the national treasury, the greater part of which was applied to public uses, such as canals, churches, bridges, &c. in bounties for the encouragement, and promoting the extension of agriculture, arts and manufactures, land-carriage of corn, carrying it coastwise, to the Dublin Society, linen manufacture, and the fisheries. His lordship made a progressive statement of the grants and taxes, the civil and military establishments, and pension list, under each successive administration, that of the Duke of Bedford, Lord Halifax, Duke of Northumberland, and the Lords Weymouth, Bristol, Townshend, Harcourt, and the present viceroy, in the course of which he shewed, that the public expenditure imperceptibly increased in each respective

tive branch. He stated, that a debt was necessarily incurred during the late war, as the outgoings exceeded the public income. But what rendered the condition of Ireland a most extraordinary one indeed, and contrary to the usage of all other states under the sun, was, that after the peace of 1762, instead of paying off the debts incurred during the preceding war, they yearly continued to augment gradually and regularly, for the last fifteen years of peace; a circumstance not paralleled in any country he ever heard or read of; nay, more, that the debt increased in opposition to new taxes. Taxes, in the course of the last four sessions, were laid on; money was uniformly borrowed; and, at the end of the two years, when the national accounts came to be settled, fresh deficiencies appeared on each new loan, and fresh taxes were laid on, in consequence of them. In short, it was a mode of policy adopted, that of taxing and borrowing and pledging the public faith, till not a shilling more could be procured. A tontine scheme, or a plan of paying an high interest on annuities granted upon lives, with benefit of survivorship, was the first; this not answering the exigencies of government, stamp duties were then laid on; and lastly, a vote of credit; notwithstanding which, such was the exhausted, impoverished state of that country, that no money could be procured upon so precarious a security. Indeed, the security amounted to no more than a mere national engagement, that the public creditors would be paid some time or other: but that the funds offered as a specific security would prove equally deficient and unproductive, with those, which had caused the very necessity of the desired loan. The debt still continued to accumulate, and in the year 1777, the expenditure exceeded the receipts in the sum of 260,000*l*. So long as England continued in a prosperous situation, though Ireland were drained, she had recourse to this country; but such was the state of both countries, in the spring of 1778, although the revenues of Ireland were hawked about London streets, and offered to be mortgaged for the sum of 300,000*l*. a single shilling could not be procured or borrowed upon them. After dwelling on those circumstances for a considerable time, he opened another head of argument, that of the immediate distresses of Ireland, which, he said, must in the end materially affect the commerce and manufactures of Great Britain. His lordship stated the average of the exports to that kingdom, both from Scotland and England, for the last eleven years, ending 1777. From Scotland, upwards of three millions; from England, upwards of eighteen millions: or from Scotland,

land, 300,000*l.* and a fraction; from England, 1,600,000*l.* and a fraction yearly; the whole making twenty-two millions, or upwards of two millions a year, British export. It might be said, does not Great Britain take the linen, provisions, &c. of Ireland in return? Certainly; but it was to be considered on which side the balance lay, whether in favor of this or that country. He then, from authentic papers, shewed that the balance of trade in favor of Scotland was above a million and a half, and in favor of England above five millions, for these last eleven years. This led him to his grand conclusion, that of motives of interest; because, by the accounts, at last made up, it appeared, that the exports to Ireland for the last year had decreased one fourth: for in 1777 it was upwards of two millions, and in 1778 under a million and a half. His lordship entered into several circumstances, which came within his own knowledge, particularly in the West Riding of the county of York: by the last returns of the number of broad woollens manufactured in that district, it appeared, that there had twenty-one thousand pieces less than the average of several years before, and eight thousand narrows, or forest cloths; that he had made it his business to enquire the reason, and found it had been the failure of the trade of Ireland. He some time since conversed with a very considerable manufacturer in his neighbourhood in the country, relative to the state of the trade of Ireland, so far as it was connected with the woollen manufacture carried on in the West Riding of York, who constantly every year went over to Dublin to take orders, and who assured him by a letter received from his correspondent in that city, he was warned not to come or send; for he could not ensure safety to either his property or person. His lordship, besides the proof of the poverty of Ireland, by its daily incurring new debts, the insufficiency of the funds appropriated for the payment of interest and annuities, payable to the public creditors; the almost bankrupt state of the exchequer, and several other evidences of a similar nature, mentioned the circumstance of our being obliged to provide, in the committee of supply of the present year, 64,000*l.* for the pay of six regiments of foot, and one of dragoons, serving in America, or consent to have them disbanded. His lordship then proceeded to enumerate the several petitions sent by some of the counties of Ireland, the associations at the Tolls in Dublin, and at several of the county meetings, particularly at Cork, Kilkenny, Wicklow, and Roscommon, some of them expressly resolving not to import, or use, or purchase, any of the manufactures

tures of this country ; others, less violent, Cork in particular, not to purchase or use any goods, but such as were manufactured in that kingdom. His lordship earnestly, nay, very warmly, pressed the necessity there was for giving Ireland relief, upon every principle of gratitude, interest, and sound policy, and pointed out the danger of irritating the people, lest, by being driven to extremities, they might in an act of despair, be forced into resistance. He expatiated greatly on their loyalty to the government, and their reverence, zeal, and affection for the people of this country ; it would therefore, he thought, as a mere matter of policy, be extremely imprudent to do any thing, which might tend to estrange Ireland from her respect and veneration for her elder sister. His lordship, as well by his details as in arguments, contended, that administration had neglected its duty towards Ireland ; that all care and protection had been withdrawn ; and that Ireland was precisely in that situation, which, if not speedily remedied, would, in the opinion of many, justify resistance. He said, the people of Ireland, by the most accurate computation, amounted to two millions three hundred thousand souls, whereof five hundred thousand were believed to be Protestants, in the proportion of three hundred thousand Dissenters to two hundred thousand of the established church. The Irish Catholics, it was true, had been favored with some degree of religious toleration, and he was happy to say, so far as the example set by England could be supposed to operate upon the ruling powers in our sister kingdom, he took a share in the merit of that measure. On the other hand, so respectable and powerful a body as the Irish Dissenters were, ought not to be treated with contempt and unkindness, as they certainly had been in one instance ; he meant the clause inserted in the bill for giving an indulgence for Roman Catholics, which clause was lost in the privy council of this kingdom. But he did not found his argument upon this or that distinction. People of all ranks, qualities, and religions there, were united as one man ; they forgot all animosities and jealousies in the ruin, which threatened them ; and the great point of union and national cement which kept them together was, not to import, purchase, or deal in any article of the produce or manufacture of this country. In this part of his argument he censured ministers highly, for their total neglect of the defence of that country ; and pointed out the danger of permitting the people there to associate and embody in troops and companies contrary to law. When he said this, it was his opinion they had done very properly, in endeavouring to defend themselves

when neglected by government. But ministers should have prevented the necessity of having recourse to such military associations; or if that were not practicable, in the present state of affairs, the people should have been legally commissioned and enabled to take arms. The matter now wore a very serious appearance; for though he were firmly persuaded, in case that country should be invaded by a foreign force, which was generally believed to be in contemplation, the Irish, with their usual loyalty and spirit, would defend themselves, and bravely repel the invaders; yet it was worth considering how far the same spirit might be exerted in resisting oppression and injustice from any other quarter. After recapitulating the many and very important advantages we derived from Ireland, through the medium of our trade and commerce, the accession of strength she afforded in time of war, and the immense sums she remitted to her absentees, monies paid officers, pensioners, or spent on motives of pleasure or business, at the universities, inns of court, appeals in law and equity, &c. he observed, how unkindly she had been treated in every instance, how cruelly and oppressively in some. He reminded their lordships of the compact made between both kingdoms in King William's time, when the parliament of Ireland consented to prohibit the export of their own woollen manufacture, in order to give that of England a preference, by laying a duty equal to a full prohibition upon every species of woollens or even of the raw commodity; and of the solemn assurance given by both the houses of the British parliament, that they would give every possible encouragement, and abstain from every measure, which could prevent the linen manufacture to be rendered by the staple of Ireland. But how had England kept its word? by laying duties or granting bounties to the linens of British manufacture, equal to the prohibition of the Irish, and at the same time giving every kind of private and public encouragement to render Scotland a real rival to Ireland, in almost every species of her linen fabrics. After describing the private as well as public distresses of Ireland in the most feeling language, his lordship proceeded to contrast the deserts of the Irish nation, whose loyalty kept pace with the extent and magnitude of the calamities they felt. He instanced, in particular, their friendly and affectionate behaviour since the commencement of the American war; the zeal and fidelity of that kingdom in the time of the two last Scotch rebellions; the uncommon efforts she made during the late war, and her uniform loyalty and attachment to this country in every trying exigency when engaged in a foreign war. He said,

said, he hoped, the importance of the object would strike every noble lord with the propriety, nay, the absolute necessity of his motion; that the house would treat it with that temper, coolness, and moderation, which it so apparently merited; and attend to it as a matter in which every man in the nation was most deeply interested. He trusted, that their lordships would not be led away by any partial ideas or narrow distinctions of local benefit or advantage, but meet it fairly as a question of state, in which both kingdoms had an equal interest. He would be extremely sorry, that this or that town or district, that Manchester or Glasgow, or any other place, would supersede or render of none effect the wisdom of their lordships' deliberations. He wished farther, that on the present occasion, all party or personal considerations would give way to the general good, and that as they meant all the same thing, the interest of both kingdoms, their lordships would not entertain a second opinion on the subject. It was a great object, and should neither be lost, abandoned, or evaded. It had for some years been unfortunately too much neglected, but matters were at length arrived just at that critical state, which would render it not only unwise and impolitic to lose a moment, but would afford an instance of obstinacy and want of feeling, little short of political insanity. His lordship concluded a very long speech, in the course of which, he spoke to a great variety of matter of less importance, with making the following motion: "That this house taking into consideration the distressed and impoverished state of the kingdom of Ireland, and being of opinion, that it is consonant to justice and true policy to remove the causes of discontent by a redress of grievances, and, in order to demonstrate the sense, which this house entertains of the merits of that loyal and well-deserving nation, this house doth think it highly expedient that this important business should be no longer neglected, and that an humble address be presented to his majesty, that his majesty would be graciously pleased to take the matter into his most serious consideration, and direct his ministers to prepare and lay before parliament such particulars relative to the trade and manufactures of Ireland, as may enable the national wisdom to pursue effectual measures for promoting the common strength, wealth, and commerce of his majesty's subjects in both kingdoms." Lord Viscount Weymouth rose in reply, and opposed the marquis's motion on two grounds; because the house had no paper whatever regularly before them, relative to the distressed state of Ireland, which was held out as the ground of the motion that

that amounted to a matter of fact; secondly, because if a relaxation or repeal of any of the restrictive laws relative to the trade of Ireland should be moved, that could properly originate only in the other house. His lordship, after expressing his best wishes for Ireland, said, the matter at a future period might be taken up, and the necessary measures for affording relief to Ireland be adopted; but at present, without proof sufficient to warrant the terms in which the address was couched, and without the means of originating specific relief, he thought it his duty to move the previous question. Duke of Chandos, after giving his opinion, that that part of the address which conveyed a censure or a charge of neglect in ministers, did not meet his idea, both because he thought with the noble viscount, that the house were not in possession of any evidence of the fact of neglect therein charged; and, that he had a full confidence in the conduct of administration. He highly approved, in other respects, of the motion made by the noble marquis; and said, one principal cause of the distress felt by Ireland, was the continual drain from that country, in order to pay the great land owners resident here, many of whom, in their whole lives, never spent a shilling in the country from whence they drew their incomes. That, he said, was systematic grievance, which admitted of no remedy but a tax upon absentees. Though he possessed a considerable property in that country, he should cheerfully assist in any measure for giving the Irish that species of relief, for he was persuaded, that whatever else might be done to relieve them, if that cause of impoverishment should not be met in some way or other, the same principle would continue to produce similar effects, in a greater or less degree. His grace before he sat down expressed his approbation of the previous question, the propositions made by the noble marquis being such, as that he could neither give it a direct negative nor affirmative. Marquis of Rockingham rose, he said, to take notice of some expressions, which had fallen from the noble viscount high in office, and the noble duke who spoke last, affirming, that he had heard with much surprise the objections now started. He repeated, with some warmth, that Ireland had been cruelly and injuriously treated, and that it would present a mixture of folly and ingratitude, which nothing but the dullest obstinacy and ignorance could explain, if we refused to lighten those intolerable burthens, which the restriction of our trade laws laid upon that loyal, affectionate, and enduring people. As an additional argument, why it made it necessary and prudent in the king's servants to agree to his motion, he ad-
verted

verted to the formidable military associations now on foot in that kingdom; and desired to know if they had been informed of their nature and extent. This, he said, was a matter truly alarming, if the British government meant to adhere to their former system of oppression and injustice; and therefore it highly behoved ministers, if they were obstinately bent to throw every part of the empire into a flame, to seriously investigate the degree of resistance they were likely to meet. With regard to the particular sentiments of the noble viscount and the noble duke, he confessed, he was unable to repress his feelings, when they imputed to his motion that it was so framed as to contain a censure upon administration. Nothing on earth was more distant from his thoughts, as he endeavoured all in his power to draw it up in such a manner, as to prevent the possibility of any objection that might arise on the ground of personality. When a motion was made a short time since for the removal of a noble earl over the way (Sandwich) from his majesty's councils, he did not at all wonder at his brethren in office rising to oppose the motion; "no, let our noble friend's crimes be ever so great, we cannot abandon him. We do not care a farthing about that; he is a pleasant companion, and we do not chuse to part with him." There is, added the marquis, nothing extraordinary in all this; but it appeared to him very unaccountable indeed, how ministers should object to the giving relief to Ireland, for certainly any opposition to it could admit of no other fair or rational construction. Lord Townshend rose, he said, to defend his own administration against the general charge of an increased establishment, which the noble marquis said, at the opening of his speech, had gone on in a progressive state of augmentation since the viceroyship of the Marquis of Hartington, afterwards Duke of Devonshire. He compared the establishment during his lieutenancy with those of his predecessors and successors in office since the year 1763. In that year the civil establishment amounted to no more than 105,000*l*. In that of the noble earl over the way (Hertford) there was a small addition. In the administration of Lord Bristol 8000*l*. had been added. During his own administration, in the course of six years, from September 1767 to 1772, the civil expences were less by 8000*l*. but since that time the civil expences had risen to 137,000*l*. His lordship, in expressions of the warmest affection for the people of Ireland, pleaded their distresses and deserts in very forcible language; said, he should be wanting in the feelings which gratitude ought ever to inspire, if he did not take the present opportunity

tunity of testifying his regard for them, and his earnestness to procure them every degree of redress and indulgence, which their melancholy situation demanded, which justice dictated, and generosity and national gratitude rendered a positive duty on the part of a great nation. His lordship adverted, in confirmation of those favorable expressions of the noble marquis, to the many proofs Ireland had given in the course of almost a century to assist Great Britain in her wars; and contended, that all the public distresses she now felt were in consequence of her loyalty and affection, particularly her recent distress, which solely arose from the assistance she had given to this country in carrying on the war against our rebellious subjects in America. With regard to local or partial distinctions, he disclaimed them, as beneath a wise and great nation; they should never be permitted to mix in questions of such vast magnitude and extent as the present. He resided himself in a country full of manufacturers. His estate and property were within that county (Norfolk), and if the manufacturer was to be affected by granting any indulgence to Ireland, he must suffer his share of the loss; but though he wished them and himself every thing which could be derived from trade and manufactures carried on upon a liberal plan, God forbid he should, upon any motives of prejudice or self-interest, give countenance to measures formed upon a narrow or partial scale of politics. He should, in point of union and national strength, ever consider England and Ireland as one country, and the people of each bound and connected by the same objects, the prosperity of the whole. The noble marquis had dwelt upon one argument to induce their lordships to agree to the proposed redress, which, he confessed, did not strike him in the same light it did the noble lord; that was the possibility or probability of resistance, in case this country should not think it expedient to enter into a consideration of the subject matter at present. That was an argument ill founded, that should never operate upon his conduct, as a peer of parliament. He hoped that their lordships would be induced to act upon principles of justice and humanity, from motives of affection and sound policy, and not from threats of resistance or compulsion on our part. But he would speak to the fact from his own knowledge; he believed, as the truest test of their affection, the Irish were no less remarkable for their patience and endurance than for their loyalty. He knew them well in every possible light they could be viewed, either politically or individually; and he could affirm from his own actual knowledge, that no provocation (such as had been alleged

ledged by the noble marquis) could drive them to any act of violence, tending to a separation or resistance to this country: but if relief were not speedily given to Ireland, there was another motive more serious, and an event much more probable than resistance, which, he feared, would be the consequence of cold indifference and neglect on our part; and that was, the people of Ireland emigrating to America, which would inevitably be the consequence. He had often taken the liberty to press that consideration on the house; and he was extremely sorry to find, that his early information respecting Washington's army had proved so fatally true, and that we had been in part baffled in our attempts to subdue our rebellious colonies, by the great number of Irish emigrants, who, driven by poverty and oppression from their native country, were compelled to enlist in the rebel army. He concluded with saying, that he agreed entirely in principle with the noble marquis; but that as to the motion, so far as it related to the form in which it was drawn up, he should reserve his ultimate opinion till a farther progress should be made in the debate, and until he heard the opinions of others of his majesty's confidential servants. Marquis of Rockingham rose to explain some matters relative to the independent corps and companies then in arms in Ireland. He said, they amounted to upwards of ten thousand men, all acting under illegal powers, under a kind of supposition that all government was at an end. This was one unanswerable proof to shew the neglect of ministers in the performance of their duty. Why were not those men embodied in the king's name? Why was not there a constitutional militia raised to answer the same purpose? In fine, why were not the gentlemen and yeomanry of Ireland put into some form, or under some regulation, which might subject them to a legal or constitutional controul? He was no less satisfied than the noble viscount of the zeal, loyalty, and fidelity of the people of Ireland. He was ready to go as far as the noble lord in every degree of confidence which prudence and sound policy would warrant, but no farther. He remembered the American war commenced in addresses and petitions; that when those were turned a deaf ear to, they were followed with non-importation agreements. He remembered, that when bills of pains and penalties were enacting in that house, a syllable would not be heard which seemed to tend to measures of lenity. The bill was brought in a hurry, passed in a hurry, and we run in a hurry headlong to our ruin. To engage therefore for what Ireland might bear with patience, or draw the line exactly upon what particular occasion or period of oppression

oppression she might resist, was a language which fatal experience had warned them sufficiently, he believed, not to put too great a reliance upon. After speaking for some time in this strain, he called upon ministers to speak out, and recommended most warmly the necessity of giving Ireland speedy and effectual relief. We had lost the greatest part of America; we were fighting with a powerful enemy for all our distant possessions; Scotland was in a state little short of actual rebellion, and Ireland was united as one man against us, not to purchase a single shilling's worth of British property. Earl Gower proposed a kind of compromise. He moved, to omit that part of the recital of the noble marquis's motion, which stated the existing grievances Ireland labours under, and the neglect imputed to administration, in not taking measures for their removal. His lordship pressed very warmly the impropriety and danger of coming to too hasty or precipitate a vote upon a question of such importance. The very cure proposed, would, in his opinion, rather serve to increase than remove the disorder, which had been so fully and ably described. It ought to be seriously considered, that holding out false hopes or creating ill-founded expectations, which could not be gratified, would in the end promote those evils, which it was the duty of parliament to prevent. He could never subscribe to the opinion, that adopting to the extent contended for, or agreeing to the claims of Ireland, would be the means of preventing rebellion: on the contrary, he feared it might produce the very reverse; if not in Ireland, possibly nearer home. The kingdom was to be consulted. The great body of British manufacturers had rights and claims of their own, which they would not readily part with, and though the arguments used by noble lords might seem specious and plausible, he begged their lordships to consider, that perhaps the very measures which might promise to prevent a rebellion in Ireland might prove the cause of an actual rebellion in England. He spoke very fully on the motion, said there was no proof of several of the matters contained in the motion, and if there were, it did not appear that the distresses which Ireland felt were owing to the government of Great Britain, or the restrictions laid upon the Irish trade. If that part of the motion which took the facts as proved, and the inferences flowing from them, as self-evident, were omitted, he was ready to meet the noble marquis, and adopt the other part of his lordship's proposition; for at present there was no evidence before the house, that the affairs of that country had been neglected, nor was the house in possession of any documents respecting the existence of grievances there,

there, sufficient to induce them to come to the proposed vote. Earl of Bristol replied, that he believed there was not a noble lord present who entertained the shadow of a doubt, that those grievances stated by the noble marquis really existed. He delivered himself very favorably in behalf of Ireland, and said he looked upon them to be the most oppressed and injured people under the sun. Duke of Manchester declared himself of the same opinion; and said, he could never think of giving up the ground of the motion; for, what was it, if the people in Ireland were not labouring under the greatest national distress? And how could that be true, if ministers had not neglected their duty, by forbearing to grant them any species of relief? His grace urged the necessity of doing something effectual, and the doing it speedily, and that for the following important reasons. It was no secret, that France intended, in the course of the ensuing summer, to make an attempt on either or perhaps both kingdoms. He was well informed, that the first attempt would be made on Ireland. He had it, he said, from the best authority, that France would not appear as an enemy on the coasts of that kingdom, to commit hostilities, but to offer her alliance, friendship and protection, in assisting her to throw off the yoke laid upon the Irish nation by Great Britain: in short, she meant to hold out independency and a free trade. The mischievous policy of that ambitious people was no longer to appear as conquerors come to enslave, but as friends to succour and relieve; no longer as the foes, but the friends of human kind, come to vindicate the rights of injured and oppressed nations. This was her policy respecting America, and this he feared would be her policy respecting Ireland; and he had good reason already to believe, that overtures of that nature had been thrown out, and that several French emissaries had been in that kingdom, in order to sound the dispositions of the people. This was the invasion and conquest of Ireland, which he feared, and which it was their lordships' business to adopt the most speedy and effectual measures to prevent. His grace therefore conjured and intreated ministers to interfere in time, and do every thing in their power to prevent France from acting so insidious a part, by removing those evils, the existence of which could only have given rise to so deep-laid a scheme of policy and ambition. He was as well as his noble friend (Grafton) glad to see ministers shew any disposition to relent. He was fully persuaded of the necessity of convincing Ireland, that we were candid, and meant at length to be serious; but he nevertheless was of opinion, that a subject of such trans-

cendent importance, involving in it such a variety of interests and objects, ought not to be lightly taken up, nor hastily decided on. Earl Gower's motion being at length framed, it was suggested, that the original motion should be first withdrawn. (A cry of withdraw, withdraw.) His lordship's motion was then read, after a few words from the Marquis of Rockingham, to shew the propriety of retaining that part of his motion respecting the distresses of Ireland, and was as follows: "That an humble address be presented to his
 " majesty, that he will be pleased to take into his gracious consideration, the
 " distressed and impoverished state of the loyal and well-deserving people of
 " Ireland, and to direct an account to be laid before parliament of such par-
 " ticulars relative to the trade and manufactures of Ireland, as may enable
 " the national wisdom to pursue methods for promoting the common strength,
 " wealth, and commerce of his majesty's subjects in both kingdoms." The Duke of Grafton said, though he liked the address as first moved better than as it stood amended, he would be ready to accept of it, sooner than run the risque of having a negative put upon it; for though it took no retrospective view, it looked forward to what he believed was the universal wish of every noble lord present; it pointed to redress, and for the sake of unanimity he was ready, for one, to adopt it. Marquis of Rockingham said, so far as the new motion pointed to future redress, he heartily coincided with the noble duke; but however willing he might be to submit to the prevailing sense of the house, so strongly manifested on the present occasion, he could see no reason against declaring, as an act of justice, and the best pledge of our being in earnest, that the affairs of Ireland had been neglected. Earl of Shelburne recommended great caution and deliberation; and put in his claim thus early to be understood as not pledging himself to support any measure, which might in its consequences put the Irish upon a better footing than the British manufacturer. The Duke of Richmond, in a very able speech, endeavoured to shew, that all local distinctions were the creatures of prejudice and selfishness. He said, that Ireland and England were in fact the same nation and people; that any distinction made in favour of the latter, was a species of injustice to the former. A great, a loyal, and a brave people, were not to be ruined, beggared or oppressed, because Manchester thought this, or this or that country were alarmed. All those petty motives must cease to operate, nor be permitted to influence our public councils, which ought never to lose sight of justice and sound policy. His noble friend (Duke of Grafton) had
 talked

talked of an union. He was for an union, but not an union of legislature, but an union of hearts, hands, of affections, and interests, as had been well pointed by his other noble friend, who made the motion. This was his opinion, and he should ever prefer such a connexion to any other which might give offence to the people, or be effected by means, however well intended, that would lie open to many objections.

A kind of conversation now succeeded, in which the Duke of Richmond said, he had no objection to the motion, provided it were fully understood on every side of the house, and candidly declared, that immediate measures of relief would be adopted; and that it was not merely thrown in the way to stop any effectual proceedings.

Earl Gower protested, so far as he could answer, he meant to act with candour. It was his wish, and it now became his particular duty; but it was impossible for him to speak with any degree of precision. It was a subject of great delicacy, called for great consideration, and he thought whatever might be done, it would not be prudent or politic to hold out to Ireland any promise, which might be received as restraining the wisdom and deliberation of parliament.

The amended motion was put and carried *nem. con.*

No. LXVI. a.

An Address from FRANCIS DOBBS, Esq. to the Officers and Privates of the several Companies to be reviewed at Belfast, the 31st of July, 1782. (Page 488.)

GENTLEMEN,

FROM the fullest conviction, that this is a critical moment for Ireland, and that your conduct, at the ensuing review, will lead to the peace, honor and prosperity, or to the devastation, ignominy and destruction of Ireland, I now address you.

You are addressed from the Belfast first company, and, if they are right, the emancipation of your country is not obtained. If they are right, you are betrayed by every man, whom you have long looked up to, as well as by those,

those, who were but lately in your confidence. If the first Belfast be right, a Charlemont, who has devoted his life to your rights---a Grattan, whom you almost adored---a Brownlow---a Stewart---an Ogle---a Yelverton---a Burgh---a Bagnell---in short, every member of the senate, who has distinguished himself in your cause, the cause of liberty, have sold you; and six gentlemen, which was the number that divided against the resolution in the House of Commons, on Friday the 19th inst. ("that the exclusive right of legislation, as well external as internal in the parliament of Ireland, was acknowledged unequivocally by Great Britain") are the only friends of their country.

Two resolutions, namely, "That a claim of any body of men, other than king, lords, and commons of Ireland, to make laws to bind this kingdom, is unconstitutional, and a grievance.

"That the ports of this kingdom are, by right, open to all foreign countries, not at war with the king, and that any burthen thereupon, or obstruction thereto, save only by the parliament of Ireland, is unconstitutional, and a grievance"—were among the resolutions at Dungannon. I admit with the first Belfast, that these resolutions exclude England from either making laws internally or externally, for Ireland. I would shed the blood of that heart, which has uniformly beat high in your cause, rather than submit to either; but I contend for it, and I will give you my reasons, that as far as it is possible to be secured, you are secure, and that all that has been set up, after the faith of the nation was pledged, if obtained, would not add an atom to your security.

Dungannon resolutions spread through the kingdom, and the unanimity that marked them, declared their justice. England felt it, and the lord lieutenant was instantly changed. The new lord lieutenant asked for your demands---every thing demanded at Dungannon was demanded by parliament.---Every thing demanded by parliament was complied with---And parliament expressed its full and ample satisfaction.---Then, and not till then---then, when the honour, faith, and every thing dear to the character of a nation were pledged, it was suggested, that a repeal was not satisfactory, and that a declaration from England, renouncing all right to bind us, must be obtained. The language of better security was held out---the language of legal security was held out---let us try whether this be any thing but words. If there is meaning, if there is security, if there is honour, if there is justice, if there is magnanimity in it, let us contend for it. But if there is no security,

curity, no honour, no justice, no magnanimity in it, let us treat it with contempt.

Let us first examine this act, which is just repealed. The 6th of Geo. I. amongst other things, says, "That England had, hath, and of right ought to have, a power to make laws to bind Ireland." What does the repeal then say? Does it not say, that they have given up what the act contains? Does it not say, that they had not, have not, nor of right ought to have, a power to make laws to bind Ireland? What does Lord Abingdon's speech say, that is so much taken notice of, for the bill contained in that speech was not seconded, does not lie on the table, is not mentioned in the minutes of the day---I ask, what does that speech say? For it is no more than a speech. It says, "That England now has no right to make laws for Ireland, externally or internally, because the 6th of George I. is repealed," and therefore, he moves for leave to bring in his bill, which was treated with such contempt, that it was not even seconded. If such a bill was to pass, then, indeed, your indignation would be called for---then, indeed, I would be among the first to rouse you to arms.

Let us now examine a declaration, on the part of England, renouncing all right. In the first place, we deny, that England ever had a right, and I submit to you whether the calling for renunciation is not saying, England has a right. What has she to renounce? Is it nothing she has to renounce? If you call on her to renounce a right, do you not admit that right? Do you not furnish her, at a future day, with an argument against yourselves? But grant, that renunciation, or declaration from England would not admit her right, where is its security? Can she not, the next hour, if she thinks proper, make a declaration, or a law directly opposite? If then she can, it is a security, that, for my part, I would not give a farthing for.

But it is said, it would be a better security. I deny it, where there can be no security, but honour and faith, there can be no degrees of security; it being fully understood what is the intention of the parties in matters of honour and faith, is all that is necessary. Now, does any man doubt, that it is fully understood between England and Ireland, that we are satisfied, because we hold that England is bound by every tie of honour and faith never to attempt to make laws, externally or internally, to bind us. As I said before, no declaration or law she could make, if she had a mind to be perfidious, can prevent her again repealing, or again enacting. The mistake is here. You talk.

talk of nations as you talk of men---but there is no tribunal, to which nations can appeal, to prove their better security, but Heaven. Now, let me suppose, that men have no other tribunal.---A man owed me money, and he gave me his note, that he would pay me, and I, afterwards, demanded his bond, though there was no tribunal on earth, that could enforce the payment of either. Would the bond, however high founding, be a better security than the note, when there was no tribunal that could enforce either? The same observation will hold with respect to a repeal, declaration, and renunciation. There is no earthly tribunal that can decide. We have the honour and faith of England. We can have no more. I again, and again, repeat it, if England is perfidious, our appeal must be to Heaven, and our arguments must be our arms.

But we ought to have a legal security. What is a legal security? Is it not a security, that an acknowledged legal court can try, and give judgment upon? Now how can there be a legal security between nation and nation? Where is the court you can go before to plead and enforce your security? If, then, there is no court on earth, to which you can go, there can be no legal security. The words are sounds and not sense, and I trust will not mislead your honest judgments.

What is now the fact? No one law made in England, that is not recognized by our parliament, is binding here. No one law affecting your external commerce made by England, and not recognized by your parliament, is binding on our trade. The exertion of the whole claim is laid aside, and you are now, as free as any nation under Heaven.

Conversations, in the House of Commons of England, are talked of---I do not care, if fifty tyrants there wished to enslave us, whilst the legislature, as a legislature, repeals the law, which says, she has a right to bind us. Do we mind, in houses of parliament, the absurdities of a few individuals? Do we take the rash, the foolish, the mad expressions of individuals, as the determination of the senate? The argument may mislead, but it must appear insignificant, in my apprehension, to every man of common understanding.

A bill declaratory of our rights was moved for lately, and rejected; because totally unnecessary, and because it would be involving a new question, after the lords and commons had publicly pledged themselves to be satisfied, and the people had assented. I will admit, that that bill could have done no harm, and I would have voted for it, had I had the honour of a seat in
parliament,

parliament, had it been introduced before the nation had expressed its contentment. But I think it a matter of perfect insignificance as to real security; and I now should think the introducing it, would be the first breach of faith, on the part of Ireland. You have expressed, that you are satisfied—You have expressed, that you are satisfied, because England has for ever relinquished all claim, or right to bind you in any shape whatsoever. What then would your conduct now be, if, after this, you required more? It would be inconsistent, (with your pardon for the expression) it would be absurd.

Every thing is to be urged to re-commit the nation—I am the only man, it is said, that has been bold enough, to meet Mr. Flood in argument either in or out of parliament; it is well they dated their paper the 18th of July, for I heard Mr. Grattan, in the House of Commons, on the 19th, answer Mr. Flood—I saw almost every man, that I have been taught by you to look up to, as your friends, and as the friends of Ireland, with Grattan—I saw Mr. Flood and five others against the resolution of that day—I believe Mr. Grattan will publish what he recollects of his speech, and let it say for itself and its cause, what my abilities do not enable me to do.

The resolutions of Connaught are mentioned, and it is said they inform his majesty, that a revival of the claims, either of external or internal legislature would for ever sever the two countries—Who denies it? I spoke it lately to the first ministers of England, and I have evidence, that I did, if you choose to call for it—Has not Ulster done, in fact, the same thing when these words were introduced into our address presented to the Irish king, in the presence of his English courtiers, surrounded by his British subjects, and their parliament then sitting?

“The address of the Irish parliament having disclaimed any power, or authority of any sort whatever, in the parliament of Great Britain over this realm, we shall consider an unqualified, and unconditional repeal of the statute 6th George I. by the British parliament, in pursuance of the said addresses a complete renunciation of a principle, hostile to the rights of Ireland, and of all the claims contained in the said statute, and as such we will accept it, and deem it satisfactory.”

What has Connaught done that we have not done? I love and honor Connaught, and I trust that we shall never deviate from their proceedings.

I now submit to you two lines of conduct. By dissenting from the unani-

mous vote of your House of Lords, which says, that a repeal of the 6th George I. is a complete dereliction of all claim, to make laws, internally or externally, for this country; by dissenting from your House of Commons, where six members only were found to object to a resolution, that England had completely renounced all right, internally or externally, for legislating for us; by dissenting from the unanimous voice of Dungannon, from the voice of Leinster, from the voice of Connaught, and probably from the voice of Munster; you open all anew, you undo all that has been done, you risk every hazard of a bloody civil war, and if you succeed, you get that, which is not, cannot, nor will be a real security. You render the name of Ireland, and particularly of Ulster, contemptible. You make yourselves insignificant, for who, after this changeability, will confide in you? Who will rely upon the opinion of this day being the opinion of to-morrow? Remember, I call upon you to remember, that our honor and dignity as a nation, are at stake.

There is another line of conduct in your power, think well of it, and then decide.

By agreeing with your lords and commons, by agreeing with the unanimous voice of the delegates at Dungannon, by agreeing with Connaught, with Leinster, and with the probable voice of Munster, by being unanimous in the construction of the conduct of England, and that she has for ever relinquished all rights, internally or externally, to make laws to bind this country; you bind yourselves together, you bind England, as far as honor and faith can bind her (and you can bind her no farther), never to infringe upon your rights. By this conduct, Ireland, to a man, will unite at the first infringement, and by uniting stop it. Public propriety and consistency will gain you every honor, and give you real and true stability. Whilst we have force, we are safe, when we have not, we are at the mercy of those who have; this being the case, I shall submit to you the following resolutions. Weigh them fairly with the other resolutions, and see which establishes the honor and rights, consistency, faith and prosperity of your country.

Resolved, That as our parliament has demanded all that the resolutions of the 15th of February, 1782, at Dungannon, required, and in that demand expressed, "That there is no body of men competent to make laws to bind
 " this kingdom, except the king, lords and commons of Ireland, nor any
 " other parliament, which hath any authority, or power of any sort what-
 " soever in this country, save only the parliament of Ireland." To assure
 his

his majesty, that we humbly conceive, that, in this right the very essence of our liberties exists, a right, which we, on the part of the people of Ireland, do claim as their birth right, which we cannot yield but with our lives. And then required the repeal of the 6th George I. and have since declared that repeal to be a full and unequivocal renunciation on the part of Great Britain, to make laws to bind Ireland either externally or internally. We therefore conceive Great Britain so bound for ever to us and our posterity, as that we shall consider the slightest attempt on the part of England to make laws externally or internally, to bind Ireland, as the signal for irrevocable separation, therefore we do not deem any meeting at Dungannon necessary at present.

Resolved, That we will not suppose it possible, that Great Britain should ever break through the faith and honor, which she has now pledged to us; but as power is the only true and real security to a nation, we will continue in the exercise of arms, and recommend it to our latest posterity, to imitate our example, remembering that freedom can only be preserved by arms of free men.

I have only to add, that as to all insinuations of the motives of my conduct, I despise them—I have uniformly acted with those men, that I thought the best men in this kingdom, with those men whom your opinions had sanctioned—If I fall before popular indignation—I fall with almost every man in this kingdom, whose public conduct has met your approbation—and I fall with what is more to me than all—with the consciousness of having exerted every nerve and every power of mine, to lead you to glory, honor and prosperity, and when you had obtained that glory, honor and prosperity, I exerted myself, successfully, as I thought, to prevent your doing that I deemed would lead you to destruction.

Whatever you may think of me,

I know that I am,

And ever have been,

Your faithful, your devoted,

And most grateful servant,

FRANCIS DOBBS.

No. LXVII. *a.*

Addresses and Resolutions of different Corps of Volunteers. (P. 567.)

To the Right Hon. and Hon. the Minority in both Houses of Parliament.

MY LORDS AND GENTLEMEN,

WE thank you for your noble and spirited, though hitherto ineffectual efforts in defence of the great constitutional and commercial rights of your country. Go on—the almost unanimous voice of the people is with you; and in a free country, the voice of the country, the people, must prevail. We know our duty to our sovereign, and are loyal. We know our duty to ourselves, and are resolved to be free. We seek for our rights, and no more than our rights, and, in so just a pursuit, we should doubt the being of a Providence, if we doubted of success.

These proceedings were generally approved of—the spirit of the Dunganon meeting was diffused throughout the kingdom, and its resolutions were seconded by almost every volunteer corps in Ireland.

On the 17th of February, the corps of Independent Dublin Volunteers unanimously agreed to the following resolutions and preamble:

Natural justice and equity having established the universal rights of mankind upon an equal footing, the inhabitants of Ireland have a claim to a free trade with all nations in amity with Great Britain; yet their ports have been kept shut, their trade has been monopolized, and their industry has but served to aggrandize the proud traders of a neighbouring kingdom.

Necessity, which compels to ingenuity, has lately led up that trade, dignified with the spacious name of *free*: yet trade, which enriches industrious nations, serves but to impoverish the natives of this kingdom, because they have purchased at an high price, an illusion; defrauded thus of their birth right, there is nothing but œconomy as a counterpoise. This unsubstantial freedom of commerce, having originated from the united spirit of the people against the use of foreign manufactures, the same spirit which procured the fallacious grant, may yet, by a persevering unanimity, establish a real, permanent, and substantial trade.---Therefore resolved, that these our thoughts and opinions be laid before our countrymen, reminding them at the same time, that not only they, but their posterity are interested in the event; and that
to

to do away effectually the yoke of monopoly, a non-consumption and non-importation agreement should be entered into without delay.

Resolved, That for the more effectually furthering this great national point, the several corps (as private citizens) of this city be requested to send each a delegate to the Royal Exchange, on Monday the 25th inst. at seven o'clock in the evening, and the foregoing resolutions be published.

The following Resolutions were passed a few Days afterwards at a full Meeting held by the Lawyers' Corps.

Resolved, That we do highly approve of the resolutions and address of the Ulster volunteers, represented at Dungannon on the 15th day of February instant.

That as citizens and volunteers, we will co-operate with the several corps, whose delegates met at Dungannon, in every constitutional mode of obtaining a redress of the grievances mentioned in their resolutions.

The Address published by the Committee of the Ulster Volunteers.

To the Electors of Members of Parliament, in the Province of Ulster.

GENTLEMEN,

DELEGATED by the volunteers assembled at Dungannon, we call on you to support the constitutional and commercial rights of Ireland; to exert the important privileges of freemen at the ensuing election, and to proclaim to the world, that you at least deserve to be free.

Regard not the threats of landlords or their agents, when they require you to fail in your duty to God, to your country, to yourselves, to your posterity. The first privilege of a man is the right of judging for himself, and now is the time for you to exert that right. It is a time pregnant with circumstances, which revolving ages may not again so favorably combine. The spirit of liberty is gone abroad, it is embraced by the people at large, and every day brings with it an accession of strength. The timid have laid aside their fears, the virtuous sons of Ireland stand secure in their numbers. Undue influence is now as despised as it has ever been contemptible: and
he

he who would dare to punish an elector for exerting the rights of a freeman, would meet what he would merit, public detestation and abhorrence.

Let no individual neglect his duty. The nation is the aggregate of individuals, and the strength of the whole is composed of exertion of each part; the man, therefore, who omits what is in his power, because he has not more in his power, and will not exert his utmost efforts for the emancipation of his country, because they can, at best, be the efforts of but one man, stands accountable to his God and to his country, to himself and to his posterity, for confirming and entailing slavery on the land which gave him birth.

An upright House of Commons is all that is wanting, and it is in the power of the electors to obtain it. Vote only for men whose past conduct in parliament you and the nation approve, and for such others as will solemnly pledge themselves to support the measures, which you and the nation approve. Do your duty to your country, and let no consideration tempt you to sacrifice the public to a private tie, the greater duty to a less.

We entreat you, in the name of the great and respectable body we represent; we implore you, by every social and honorable tie; we conjure you as citizens, as freemen, as Irishmen, to raise this long insulted kingdom, and restore to her her lost rights. One great and united effort will place us among the first nations of the earth, and those who shall have the glory of contributing to that event, will be for ever recorded as the saviours of their country.

It would be impossible and unnecessary, to state here the numerous resolutions agreed to by the several volunteer corps and other assemblies, where these subjects were taken into consideration: they were substantially the same, and differed but in words. We shall therefore only add the proceedings of a few other bodies, that were not under the military character, to shew that the same disposition and sentiments pervaded all ranks of people.

At a Meeting of the Freemen and Freeholders of the City of Dublin, convened by the High Sheriffs, at the Tholsel, on Tuesday the 19th of March, 1782, the following Address was unanimously agreed to.

To Sir Samuel Bradstreet, Bart. and Travers Hartley, Esq. Representatives in Parliament for the City of Dublin.

GENTLEMEN,

AS men justly entitled to, and firmly resolved to obtain a free constitution, we require you, our trustees, to exert yourselves in the most

most strenuous manner, to procure an unequivocal declaration, "That the king, lords, and commons of Ireland are the only power competent to make laws to bind this country." And we solemnly pledge ourselves to you and to our country, that we will support the representatives of the people at the risk of our lives and fortunes, in every constitutional measure, which may be pursued for the attainment of this great national object.

Be assured, gentlemen, that your zeal upon this occasion will insure you a continuance of our esteem and regard.

(Signed) James Campbell }
David Dick } Sheriffs

The Sheriffs, having waited on the Representatives, received the following Answer.

To the Sheriffs, Freemen, and Freeholders of the City of Dublin.

GENTLEMEN,

IT has ever been my wish to receive with pleasure, and to obey the instructions of my constituents.

You may depend on my using every means in my power to procure an explicit and unequivocal declaration, "That the king, lords, and commons of Ireland are the only power competent to make laws to bind this country;" and I rely on your solemn engagement to support your representatives in every constitutional measure, which may be necessary for the attainment of this great national object. Permit me to assure you, that my zeal for the accomplishment of your wishes can be equalled only by my desire to convince you how sacred I esteem the trust you have reposed in me, and how much I value a continuance of the good opinion of my fellow citizens.

I have the honor to be, with the greatest respect,

Your obliged and faithful servant,

SAMUEL BRADSTREET.

To the Sheriffs, Freemen, and Freeholders of the city of Dublin.

GENTLEMEN,

I SHOULD be very unworthy of that honorable and important trust, with which you have so recently invested me, did I not receive

receive with the highest respect, the most perfect satisfaction, and chearful conformity, your instructions, on a subject in which the national honor and security are essentially engaged. To suppose that any power, except that of the "king, lords, and commons of Ireland, is competent to make laws to "bind this kingdom," is utterly inconsistent with the idea of freedom; it is equal liberty alone, which can secure that perfect harmony to the subjects of the same crown, so necessary to the prosperity both of Great Britain and Ireland.

You may rely, gentlemen, on every exertion I am capable of, to procure an unequivocal declaration of the sole rights of the legislature of this kingdom, to enact laws obligatory on the people of Ireland; and I doubt not in this, and every constitutional measure, I shall be always secure of the support of my constituents. Your instructions on this occasion will give a dignity to the vote you have intrusted me with, which it must have wanted, if considered as merely proceeding from my own private judgment.

I have the honor, gentlemen, to be,

With the most perfect respect, and sense of obligation,

Your faithful and obedient servant,

TRAVERS HARTLEY.

At a Meeting of the High Sheriff and Grand Jury of the County of Dublin, on the 11th of April, 1782, the following Resolutions were agreed to.

Resolved, That no power on earth, but the king, lords, and commons of Ireland can in right make laws to bind the people of this land.

Resolved, That the members of the House of Commons are representatives of, and derive their power solely from, the people; and that a denial of this proposition by them would be to abdicate the representation.

The following Address was then read by the Chairman, and agreed to.

To the Right Hon. Luke Gardiner, and Sir Edward Newenham, Knight.

GENTLEMEN,

WE, the high sheriff and grand jury of the county of Dublin, warmly coinciding with the determination respecting the constitutional

tional rights of Ireland, with which the mind of every man in this nation is deeply impressed, think it our duty to express those feelings in the strongest terms.

As you have already evinced your intention to support the sole and undoubted authority of the legislature of Ireland, to make laws for its government, we confidently hope and expect, that you will persevere in pursuing the most decisive and immediate measures, that may effectually carry that great object into execution, by a solemn ratification of our rights.

Though this is, at the present crisis, the principal matter under the consideration of parliament, we have no doubt but that you must consider it your duty to act in all things that affect the freedom of our constitution, in such manner as may become the representatives of a great and independent country.

Resolved, That copies of the above resolutions and address, signed by the high sheriff and foreman, be presented to the Right Honorable Luke Gardiner and Sir Edward Newenham, knight, and that the same, together with their answers be published.

The following Answers were returned.

To the High Sheriff and Grand Jury of the County of Dublin.

GENTLEMEN,

IT gives me very sincere satisfaction, that my past conduct, relative to the sole and undoubted authority of the legislature of Ireland, has merited your approbation. You may be assured, that I shall persevere in giving my warmest support to the great and important object, as I consider it so decisively founded in right, that no man who loves to be free, can hesitate to acknowledge and to assert it.

With respect to any other matter that may affect the freedom of our constitution, I am so conscious of my intentions to promote the perfect contentment of this country, that I have no doubt I shall, in every particular deserve that confidence, with which you have hitherto honored me.

I am very glad that you have given me an opportunity of declaring my sentiments thus publicly at this crisis; as I think that the time is now come, which demands an explicit and a permanent settlement of the constitution of Ireland, as the certain means of establishing the tranquillity of this country,

and of perpetuating the harmony, which ought to subsist between us and Great Britain.

I have the honor to be, Gentlemen,
Henrietta Street, With the greatest respect,
April 13, 1782. Your very obliged humble servant,

LUKE GARDINER.

To the High Sheriff, Foreman, and Grand Jury of the County of Dublin.

GENTLEMEN,

I ALWAYS received your instructions with respect and pleasure, for it is equally my duty and inclination to obey them; if I did not, I should betray that delegated trust, with which you have honored me.

In respect to those great objects in which you desire "I will persevere," I assure you, I will most faithfully pursue that line of conduct marked out by you, confident that his majesty cannot, in justice to this independent kingdom, refuse his royal assent to such acts, as may be deemed by the Irish parliament "a solemn ratification of our rights." I flatter myself that no Irish minister will be found to be so presumptuous, as to impede the total annihilation of foreign usurpation; if such a minister should be found, the parliament of Ireland, supported by the general voice of the people, ought to do their duty. Though effectual impeachments have been too long neglected, and thereby our sister kingdom has nearly fallen a martyr to the corruption and wickedness of its ministry, the spirit of this nation is too high, to submit patiently to national insults.

You are also pleased to direct me "to act in all things, that affect the freedom of our constitution, as may become the representative of a great and independent county:" in order to accomplish that object, I have frequently introduced heads of a bill to secure the freedom of parliament, by limiting the number of placemen, and totally excluding pensioners from sitting therein; a hostile band of parliamentary placemen and pensioners is the foundation of internal and external corruption.

Every measure tending to maintain the freedom, or promote the trade and manufactures of your great, respectable, and independent county, shall meet my warmest support in every station of life.

I have the honor to be, with the greatest respect,

Your most obliged and faithful trustee,

EDWARD NEWENHAM.

At

At a full Meeting of the Grand Jury, Gentlemen, Clergy, and Freeholders of the County of Galway, assembled pursuant to public Notice from the High Sheriff, at the County-Hall, in Galway, March 31, 1782, the following Resolutions were unanimously entered into :

RESOLVED, That a seat in parliament was never intended by our constitution as an instrument of emolument to individuals; and that the representative, who perverts it to such a purpose, particularly at so momentous a period as the present, is guilty of betraying the trust reposed in him by the people for their, not his benefit.

Resolved, That the people who could tamely behold their suffrages made the tool of private avarice or ambition, are still more criminal than the venal representatives, as they become the panders without even the wages of prostitution.

Resolved, That when we daily see the mandate of the minister supersede all conviction in debate; when placed and pensioned members of parliament notoriously support in public measures, which they condemn in private; when the hirelings of corruption avow, and government have exemplified in recent instances of distinguished characters, that to vote according to conscience amounts to a disqualification to hold any office in the service of our country, it is time for the people to look to themselves, and in great national questions to assert their right to control those, who owe their political existence to their breath, and may be annihilated by their displeasure.

Resolved, That at an æra when every thing which can be dear to a nation is at stake, we are called upon by our duty to ourselves, to our country, and to posterity, to stand forth, and by the most unremitting exertions stem the returning torrent of corruption at home, and resist the usurpation from abroad, that all mankind may see we are determined to preserve the purity, while we vindicate the rights of our legislature.

Resolved, therefore, That we do hereby solemnly pledge ourselves to each other, and to our country, by every tie of honor and religion, which can be binding to man, that, as the sacred duty which we owe to the community supersedes all ties and obligations to individuals, we will not suffer private friendship or private virtues, to warp our settled determination not to vote for any man, at a future election, either for county, town, or borough, who

shall act in opposition to our instructions, and who will not subscribe a test to obey them previous to the election, or who shall absent himself when those questions, on which we instruct him, are agitated in parliament.

Resolved, That the king, lords, and commons of Ireland are the only power competent to make laws to bind this kingdom, and that we will resist the execution of any other laws, with our lives and fortunes.

Resolved, That if force constitutes right, the people of this country have a right to use force against the man, who dares to maintain doctrines subversive of their constitution; but as the object is beneath the dignity of the national resentment, we shall only bid such a man beware how he hereafter trifles with the rights of his country, and provokes the vengeance of a people determined to be free.

Resolved, That we highly approve of the resolutions of the volunteer delegates, assembled at Dungannon and Ballinasloe.

Resolved, That the thanks of this county be returned to the minority in parliament, and particularly to our countrymen Anthony Daly, Sir Henry Lynch Bloffe, and Robert Dillon, Esqrs.

Resolved, That the following address be presented to the Right Honorable Denis Daly, and W. P. Keating French, Esqrs. representatives in parliament for this county.

TO DENIS DALY, Esq.

SIR,

THERE is a moment in the affairs of nations as well as of individuals, which if seized and happily improved, may lead to prosperity, if neglected, may terminate in the riveting of its oppressions. Such a moment is the present: the eyes of Europe are upon us, and posterity will read our conduct with applause or execration according to the use we make of the opportunities, which a providential combination of events has afforded us. When the rights of a nation become objects of public question or discussion, not to assert is to relinquish, to hesitate is to betray. The die is cast; if we advance with a manly and determined step, we ensure success; if we recede or divide, we sink for ever; in so awful an hour, who is the man that, however unwilling to provoke the question, will not at the day of trial be found in his post? Your private opinion, Sir, must give way to the national voice; the assemblage of qualities which formed and elevated your character, raised you to one of the most exalted situations a subject could arrive at. Your abilities

abilities remain, we have relied on your integrity ; yet we cannot but lament, that at the moment we stood in need of all the influence of such a character, its brightness should have been shaded, and its weight lost to the nation, by being placed in a station in which, however chaste, it may at least be suspected. But waving at present the consideration of this subject, we now call upon you, as one of our representatives, as you value our future approbation and support, to give your fullest assistance to the following measures, whenever they shall be proposed in parliament, viz. a declaration of our national rights ; an ademption of the assumed power of the privy council to stop or alter bills ; a mutiny bill limited in its duration ; a bill rendering the judges independent of the crown ; and a bill to reduce the expences of the nation to a level with its revenues, as we cannot conceive a conduct more insane, than for a people scarce emerging from ruin, like a profligate heir, to anticipate its funds, and ground certain extravagance on uncertain prosperity.

TO W. P. KEATING FRENCH, Esq.

SIR,

THE present period calls upon every man in this country to take an active and decided part in the common cause. The nation is not now to be trifled with. Upon our conduct at this eventful hour depends the establishment of our constitution, and the liberties of unborn generations. We shall not, Sir, suffer our attention to be drawn from the great objects in which we are engaged, by a retrospect into your past parliamentary conduct, however dissonant in many points from our opinions ; but we call upon you, if you value our future approbation, to give your fullest support to the following measures, whenever they shall be agitated in parliament, viz. a declaration of our national rights ; an ademption of the power of the privy council to stop or alter bills ; a mutiny bill limited in its duration ; a bill to render the judges independent of the crown ; and a bill to reduce the national expences to a level with its revenues.

At

At a Meeting of the Electors of the University, on the 3d of April; the following Address was unanimously agreed to, and ordered to be presented to their Representatives.

To the Right Honorable Walter Burgh and John Fitzgibbon, Esq. Representatives in Parliament for the University of Dublin.

GENTLEMEN,

WHEN the murmurs of a people, struggling for their rights, have been heard even in the quiet retreat of science, we should deem it a breach of duty to our countrymen and ourselves, did we neglect to second their virtuous exertions: we are never forward in political contests; we shall always be decided and steady; although we have not been the first to complain of, yet, we have not been the last to feel, the repeated injuries this country has suffered, not only from those who may have separate duties and separate interests, but from men who are bound by the strongest duty, and the dearest interest, to vindicate its rights, and cherish its prosperity.

The power of binding Ireland by acts of a foreign legislature, is what nothing but a spirit of arrogance or oppression would insist upon, nothing but the most abject servility submit to; for we cannot suppose, that the appearance of a claim, which irritates the whole body of the people, would be retained, unless there was an intention of enforcing this claim hereafter; we are therefore convinced, that an express declaration of rights, is the only measure upon which this country can build its legislative independence, and that a reluctance to assert the constitution of the land, may furnish Great Britain with a pretence for denying the justice of our requisition.

We do not think the present situation of Great Britain to be any objection against such a declaration, as we can never suppose that she could derive strength from our weakness, or any security to her liberties from the oppression of ours; and that time is undoubtedly to be preferred for the assertion of our right, when the object is likely to be obtained with the least struggle.

The insecure attachment of Ireland to the crown of England at a former period, furnished a pretext for divesting the houses of parliament of their right to originate bills, unless previously certified into England under the great seal of this kingdom; now, as the loyalty of this country for several centuries, so often tried, and so often acknowledged, has removed every
cause

cause of distrust; we conceive that this injurious and humiliating restriction should also cease.

The dependence of the judges of Ireland on the will of the sovereign, may, in the hands of an aspiring monarch, prove a powerful instrument of oppression; now, holding ourselves entitled to every constitutional security which our sister kingdom possesses, we consider it necessary that the judges of this kingdom should be made equally independent with those of Great Britain.

But since every advantage, which could result from these reformatations must be precarious, as long as a perpetual mutiny bill exists, by which force may be made to supersede right, and the soldiery of Ireland are subject to trial and punishment by any future articles of war, which the king and privy council of Great Britain may think proper to adopt; we are persuaded, that every concession must be imperfect, unless accompanied by the repeal of so dangerous a law.

We therefore expect you will exert your most strenuous efforts, to obtain a declaration of the rights of Ireland: a repeal or satisfactory explanation of the law of Poynings; an act for making the tenure of the judges independent of the crown; and a repeal of the perpetual mutiny bill.

We declare, that these are our fixed and unalterable sentiments, and we are convinced, that nothing short of the requisitions herein contained, can be, in any degree, satisfactory to the people of Ireland.

It is our wish to render the connexion between this country and Great Britain, as close and permanent as possible, and we are persuaded, that this is only to be accomplished by abolishing all usurped authority of the one over the other, and removing every invidious distinction between the constitutions of two countries equally intitled to be free.

To this Address the following Answers were returned.

To the Electors of the University.

GENTLEMEN,

WHEN I reflect on my past parliamentary conduct, it affords me the highest satisfaction, to find that it entirely corresponds with the tenor of your instructions. Whenever the objects that you recommend have come into discussion, I have given them my uniform and decided support. My conduct has been founded upon principles, which no motives of
interest

interest or ambition have been able to shake, and in which I shall persevere unto the last hour of my life.

I have the honor to be, with the greatest respect,

Gentlemen,

Your most faithful humble servant,

WALTER BURGH.

To the Electors of Trinity College.

GENTLEMEN,

I AM just now honored with your instructions, which have been forwarded to me by post. Be assured, that I shall always feel the utmost satisfaction in receiving the instructions of that very great and respectable body, which I have the honor to represent, and that you shall ever find me ready, to the best of my ability, to vindicate your rights.

I have always been of opinion, that the claim of the British parliament to make laws for this country, is a daring usurpation on the rights of a free people, and have uniformly asserted this opinion both in public and in private. When a declaration of the legislative right was moved in the House of Commons, I did oppose it, upon a decided conviction, that it was a measure of a dangerous tendency, and withal inadequate to the purpose for which it was intended. However, I do, without hesitation, yield my own opinion upon this subject to yours, and will, whenever such a declaration shall be moved, give it my support.

With respect to an explanation of the law of Poynings, I confess, the more I consider the subject, the more difficult it appears to me. Allow me to remind you, that the University did, upon a very recent occasion, experience that this law, in its present form, may operate beneficially. A total repeal of it, will I hope, on consideration, appear to you to be not, by any means, a desirable object. You may rest assured, that the best attention which I can give to the subject shall be exerted; and I trust and doubt not, that upon a communication with you upon this topic, I shall be able to give you full satisfaction.

I agree with you most warmly, that any advantage, which we may derive from reformation must be precarious, so long as the articles of war shall continue to be a permanent and established branch of municipal law, which they certainly are under the present act for regulating the king's army in Ireland.

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I have not a doubt, in my mind, that a perpetual mutiny law lays the foundation of a military government in this country; upon this principle I did oppose it as strenuously as I could, from the first moment it was introduced into the House of Commons, and upon this principle I will, whilst I live, make every effort within my power to procure a repeal of it. The administration of justice in this country is certainly an object of the first importance, and therefore I will, at all times, concur in any measure, which can be proposed to make the judges of the land independent and respectable.

I have the honor to be,

Gentlemen,

With great respect,

Mount Shannon,

April 11th, 1782.

Your most obedient, and

very humble servant,

JOHN FITZGIBBON.

No. LXVIII. *a.*

From the Debates in the British House of Commons. (Page 587.)

THE Right Honorable T. Townshend spoke fully upon the privileges of the House of Commons. He maintained, that the only true substantial meaning or idea those privileges conveyed was that they were the indubitable right of all the commons of England, who had one general interest in them. That to be sure in a more confined sense, they were particularly applied first to that house, as a deliberative body, and one of the branches of the legislature. Secondly to the individual members who compose that body. He did not intend to make them, however, the subject of this day's business; they were but of secondary, nay indeed of very inferior consequence, when opposed to that great privilege, the power of granting money, of keeping the purse of their constituents safe from the hands of violence, art or fraud. This was a trust of the first magnitude; in fact, it included every other; for so long as that was preserved inviolate, the crown would remain under the constitutional controul of parliament; so soon as that was wrested by open force, defeated by indirect means, or done away by fraud, the liberties and the privileges of the people would be for ever annihilated. He expatiated on the commend-

able, wise, and well-founded jealousy of that house whenever the least attempt had been made in that way even by the other house; but when any endeavours were made by the crown, or its ministerial agents, the commons at all times caught the alarm; they had at all times uniformly united, as if they were actuated by one soul, to resist any attempt of the crown to encroach upon their power of granting or refusing the money to be raised on themselves or their constituents. He then opened the cause which induced him to make these observations, and read the following papers.

“ *Message to the Irish House of Commons,*

Jovis, Nov. 23d, 1774.

HARCOURT.

I have his majesty's command to acquaint you, that the situation of affairs, in part of his American dominions, is such, as makes it necessary, for the honor and safety of the British empire, and for the support of his majesty's just rights, to desire the concurrence of his faithful parliament of Ireland, in sending out of this kingdom a force not exceeding four thousand men, part of the number of troops upon this establishment, appointed to remain in this kingdom, for its defence, and to declare to you, his majesty's most gracious intentions, that such part of his army as shall be spared out of this kingdom, to answer the present exigency of affairs, is not to continue a charge upon this establishment so long as they shall remain out of the kingdom. I am further commanded to inform you, that as his majesty has nothing more at heart than the security and protection of his people of Ireland, it is his intention, if it be the desire of the parliament, to replace such forces, as may be sent out of this kingdom, by an equal number of foreign Protestant troops, as soon as his majesty shall be enabled so to do. The charge of such troops to be defrayed without any expence to this kingdom.

Extract from the Address of Knights, &c. to Lord Harcourt.

That your excellency will be pleased to return his majesty our most gracious thanks for his gracious declaration, that his majesty has nothing more at heart than the security and protection of his people of Ireland, of which his majesty has given a signal proof, by his offer, if it shall be the desire of parliament, to replace such forces as may be sent out of this kingdom, by an equal number of Foreign Protestant troops, the charge thereof to be defrayed, without any expence to this kingdom.

Extract

Extract from the Votes of the House of Commons of Ireland.

AN amendment was proposed to be made to the resolution, by inserting after the word resolved, the following words, viz. “ that having, in consequence of
 “ his majesty’s gracious recommendations, and of our mature consideration
 “ of the state of this country, repeatedly declared our opinion, that twelve
 “ thousand men are necessary for the defence of this kingdom; being sensible
 “ that it would be a violation of the trust reposed in us, should we have sub-
 “ jected our constituents to a very heavy expence, in times of perfect tran-
 “ quillity, for the purpose of providing a force, which we are to part with in
 “ times of danger; and being convinced, that since the time at which we first
 “ declared twelve thousand men to be necessary, the probability of a war has
 “ increased, and not diminished.”

*Right Honorable Mr. Speaker’s Speech to his Excellency Simon Earl
 of Harcourt.**Lunæ 25 die Decembris, 1775.*

MAY IT PLEASE YOUR EXCELLENCY,

THE conduct of the commons, in the course of this session, has marked more strongly, if possible, than in any former period, their loyalty, duty, and affection to his majesty, and their zeal for the interest and honor of Great Britain. At the hazard of their own safety they have consented to part with one-third of the forces deemed necessary to be maintained at all times within this kingdom for its defence in a season when powerful reasons existed for retaining them, without putting Great Britain to the expence of replacing them, though generously offered; and they have cheerfully granted to his majesty a very considerable supply, in addition to all former duties, though the liberality of the last session served only to expose the weakness of their resources. This disposition of the commons they doubt not your excellency will improve to their advantage, and they trust that through your excellency’s favorable representation, it will serve to unite Great Britain and Ireland in still closer bonds of mutual affection, so necessary to the security and prosperity of both. They acknowledge with gratitude your excellency’s generous efforts to open to them new sources of commerce, and to remove some restraints upon the old; they see with joy a beam of light break through that dark cloud which has so long overshadowed this nation; and they are animated with the

hope that the honor is reserved for your excellency's administration, of establishing this important truth, that nothing will more contribute to augment the strength and wealth of Great Britain, than the increase of both in this kingdom."

Having read these papers, Mr. Townshend said, the message contained two propositions, by both which the parliament of Great Britain was pledged to that of Ireland, if it should accept the conditions held forth by this message, to pay for the troops to be sent to America, and to replace them with 4000 foreign Protestants; and further to induce the Irish nation to accept this insidious bargain, she was to have 12,000 within the kingdom, and at the same time to be relieved of a burthen of 80,000*l.* per annum. Such a proposition could only have originated in the worst designs, or must have been the effect of the most consummate folly. For what was the whole measure taken together? The minister on this or the other side of the water, no matter which, makes the king engage his royal word, that the expence shall be borne by the parliament of Great Britain; but adding folly to temerity, makes him promise, that Great Britain shall pay for 8,000 men, though if the bargain was accepted, she would actually have but 4000 men in her service. After thus stating, in his opinion, the meaning of the words, he proceeded to shew, that they were received in this sense by the Irish parliament, though neither of the offers were received in the terms proposed, and quoted the speaker's speech, delivered at the bar of the House of Lords, on the 25th of December, 1775, in which he offers, in the name of the commons, to send the 4000 natives out of the kingdom, without putting Great Britain to the expence of replacing them, though generously offered. He then stated the complaint in the following words: "that the Earl of Harcourt, lord lieutenant general, and general governor of Ireland, did, on the 23d day of November last, in breach of the privilege, and in derogation of the honor and authority of this house, send a written message to the House of Commons of the parliament of Ireland, signed with his own hand, to the following effect." (Here he recited the message in page 346.) He moved, that a committee be appointed to enquire into the matter of the said complaint, and to report the same, as it shall appear to them, to the house.

Sir George Yonge seconded the motion.

Lord Clare said, the right honorable gentleman who made the motion, had been lavish of his encomiums on Ireland, but did not offer a syllable in behalf
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of poor Britain. Ireland retained a proper sense of freedom; she would not admit foreigners, even with the consent of parliament; her principles were sound, her manners were pure: her counsels were uncontaminated; while poor degenerated Britain was fallen from her former greatness, and was sunk into the lowest extreme of corruption, folly, and want of spirit; yet while he was proud to hear his country so highly extolled, he could not help lamenting that fallen Britain had not one friend to stand forth in her defence. His lordship having continued upon the two propositions. The offer of sending foreigners and of defraying the expence signified nothing: no such offer or promise was intended; it was all the idle reveries of a gentleman, whom, for the familiarity of expression, he would call by the name of Mr. Edmund Sexton Perry. He knew Mr. Edmund Sexton Perry very well, and he knew him to be a good sort of a confederate, honest, sensible man, but however sensible Mr. Perry might be, the house was not bound by his interpretations. The honorable mover says, that Mr. Perry went to the bar of the House of Lords, and delivered a certain speech, and that the lord lieutenant acquiesced in that interpretation of the message, because he did not contradict it. Would he have Lord Harcourt rise and come to Mr. Perry to the bar, and contradict him, by telling him he never meant any such thing? I dare say he would hardly be so unreasonable. I have indeed heard it asserted by some of my countrymen, that they spoke better English than the people of his country. It may be so, but it is the first time I ever heard it asserted, that they understood it better. I presume that Mr. Perry thought he understood the message; but I will not allow that either Lord Harcourt, or this house, are bound to abide by his interpretation; neither can I be persuaded that the House of Commons of Ireland are any more bound than we are by his conceptions. For what does the whole amount to? Mr. Perry, in his individual capacity, says so and so. What is that to the House of Commons? He is speaker it is true, but what he does out of the house, when he is not instructed, is no more the act of that house, than if it had been done by any other person.

Mr. Conolly replied to his lordship, that he was an Irishman as well as the noble lord, and as Ireland was to be the subject of that day, in the cocking phrase, he was ready to pit himself against him. He then observed, that he was not surprized that the noble lord was in such extreme good humour with ministers on both sides of the water, as his lordship, and the three others, who enjoyed sinecure employments, had a present made them in one day of 14,000*l*
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(meaning the arrangement of the vice-treasurers and the clerk of the pells) and lest a possibility should arise of any defalcation of their salaries, parliament was so good-humoured, while they increased the salary, to take upon themselves to provide payment out of the public purse for deputies, who were to do the duty. It was therefore no wonder that his lordship and his colleagues should be merry, while Ireland continued to be sad; to see the salaries of sinecure places raised, while she was mortgaging her funds, laying on new duties, and providing for deficiencies of grants. He gave a picture of Ireland: an exhausted treasury, ruined trade, starving manufacturers, accumulating pensions, new created places, state oppressions, daily executions, a ruined, mouldering army, encreasing debts, castle jobs, bands of lawless ruffians in defiance of law, and beyond the power of punishment; in short, every public evil and private mischief, that ever was on earth to curse and debase mankind. He did not rise to the question simply stated, whether the message were really a breach of the privilege of the Commons of England, but principally, he said, to give an account of what passed in the Irish House of Commons, when Sir John Blaquiére brought the message from the lord lieutenant. That house refused the offer, he said, upon two principles, first, because they thought the introduction of foreign troops an unconstitutional and dangerous measure; and secondly, because it was thought that the ministry had no mind that they should have them, for Sir John himself voted against them. He said, Ireland was quite defenceless, that the 12,000 nominal men were only 10,800, out of which 4000 were to be sent away; that the White Boys were governors of all the South of Ireland, where four-fifths of the people were Catholics; that no private gentleman could be sure of his life, sitting there in his own house, for one half-hour, that more troops were really wanting, instead of taking those away they had already; that men had their ears sawn off, and others were buried alive, to the disgrace of government, that could not or would not protect the people; that the peasantry were in such a state of poverty, that no revolution or change of situation could possibly be to them for the worse.

Right honorable Welbore Ellis said the meaning of the message had been mistaken, that taking the expression in any light, no breach of privilege could be deduced from it. He recalled to the remembrance of the house, that in 1769, when the Irish establishment was raised from 12,000 to 15,000 men, his majesty passed his royal personal promise to the Irish parliament, that there should never be less than 12,000 men in Ireland, except in cases of actual invasion or rebellion

rebellion in Great Britain. Now, the Earl of Harcourt's message, he contended, had reference to this promise; as the present want of troops was not within those exceptions, it certainly was his majesty's first business to be absolved from that promise, by the parties to whom it was made: but if he had applied first to the Commons of Great Britain, it must have been for the approbation of a measure in direct breach of his promise to Ireland. He compared it to the king's proposing military establishments to the house; the king does the whole by his prerogative, and leaves nothing to the House of Commons but to vote the money. Is not this engaging for the consent of parliament? Yet all the world knows that the house may object to them, and consequently they cannot be effected without their consent.

Mr. Gordon thought the first part of the message was agreeable to the sense now put upon it by the honorable gentleman who spoke last: but the other part seemed a little obscure at first sight; yet it might be concluded, that as a measure of government, it could never be in the idea of the minister to make such an attempt, in express contradiction to the disbanding act of King William. It was in his opinion, a fair inference to say, that the expression "enabled so to do" meant the previous consent of the British parliament. If he thought administration had any other intention in view, no man would be more ready to join a vote of disapprobation and censure. He condemned the conduct of ministers, respecting the indemnity bill, and disapproved of introducing foreigners into the dominions of Great Britain, without the consent of parliament.

Mr. Powys had little doubt, that the message under consideration meant more than it expressed, and was intended as an experiment to try if the Irish parliament would consent to receive foreign troops, in order to establish a precedent which might be afterwards employed to other purposes.

Lord Middleton said, he had fortune in both kingdoms, but had no predilection for either in a political light, because he looked upon their interest to be mutual; but whatever other gentlemen might think of the message, of the true import of which it was impossible there could be a second opinion, he had not a doubt but it aimed at one fixed object, that was, to habituate both countries to a submission, which must in the end reduce the parliament of each to be the mere instrumental agents of the crown, without the least degree of will or independence whatever. It was a scheme, however deep, formed nevertheless on very simple principles, and went directly to vest in the crown the
virtual

virtual power of taxing, as the opportunity might serve, both in Great Britain and Ireland. In Ireland the minister was taught to ask some favor; then England was to be pledged. In England again, when circumstances recurred, or were impracticable, Ireland was to be taxed, in order to maintain the supremacy of the British legislature.

Mr. Dunning divided the message into two parts. On the first he observed, that it contained no condition implied or expressed. It was his majesty's intention as immediately from his own mind, declared in the most positive terms the English language is capable of conveying. It was a complete undertaking on his part to pay for the 4000 men, if the Irish House of Commons should chuse to consent or accept of the terms. It was impossible in the nature of things, that any man possessed of any thing he could properly call his own, or binding himself to the execution of any act within his power, could promise in terms more clear, positive, or unequivocal, than those in which this part of the message was conceived. To get clear of this, he said, two modes had been adopted, both with equal bad success. One of those was a naked contradiction to the obvious sense of the words; but such an unsupported denial was abandoned in the very instant it was urged; for the noble Lord (Lord Clare) and the honorable gentleman (Mr. Ellis) who asserted at random, being conscious that it was but a random assertion, endeavoured to explain it, by saying that the affair was conducted precisely in the manner of a subsidiary treaty. This he said was still worse, for no argument was better than a bad one. It was well known, that the king, when treating with foreigners, represented the state, which could never be the case, when treating with one part of his subjects, and engaging for another; besides, the consequence, had the offer been accepted by the Irish parliament, would have clearly shewn the difference, and established the distinction beyond all question. The troops, if the season of the year had permitted, might be now in America; the foreigners might be landed in Ireland. Great Britain was pledged; the cause in which the troops were to be employed, and the necessary arrangements by which the measure was to be brought about, was a favorite one; so that the whole business might be effected by his majesty's bare intention, as completely without, as with the consent of the British parliament. The second part of the message, he insisted, was clear and explicit. The offer was to replace the 4000 troops, by an equal number of foreign Protestants, "if it be the desire of parliament." Here again was clear intention, and offer expressed, with the condition

condition annexed, that was, "if it be the desire," &c. By every rule of legal construction or common sense, if there be an undertaking accompanied by a condition, if the condition be accepted by the party to whom it is proposed, the bargain is from that instant complete, and mutually binding on both parties. If then the proposition were a positive one, and it had been accepted; it only remained to discover whether or not it were the commons of Great Britain, whose word was thus pledged without being consulted. This, he presumed, would require very little proof. No man would say that Hanover was to bear the burden: he could less think that any of his majesty's new allies were to do so, however zealous they might be for chastising his rebellious subjects in America. The civil list, he suspected, was still less equal to afford so heavy a disbursement. Where then could the necessary means of paying so large a body of men be obtained but from the British parliament? By what had fallen in debate, as well as general declarations made at the time this business was first mentioned, he understood this famous message had been disavowed by the minister, and his friends on this side of the water. He presumed the minister on the other side did not venture to do it entirely on his own judgment. This excited his curiosity to know where it originated. It would be a sufficient answer, if the minister either here, or in Ireland, owned it. If neither did, but the advice came from another quarter, he should be glad to know, because in such an event more particularly, it would be the duty, as it ought to be the wish, of the house, to sift the matter to the bottom, in order to come at the real author or authors.

Lord North gave a long narrative of the increase of the establishments which took place in Ireland in 1769, and of his majesty's promise to his Irish parliament, that 12,000 men should always remain within that kingdom, except in the event of a rebellion in this. He said, the royal promise, though binding on his majesty, was not law, therefore sending the troops out of this kingdom, to the amount of any number, was perfectly legal. His lordship said, he would not answer the general question put to him by the last honorable gentleman, not chusing to gratify mere curiosity, at the expence of betraying the secrets of the cabinet. He avowed the having co-operated with the rest of the king's servants, in giving general instructions, but would not charge his memory with having any immediate hand in drawing up the particular letter or paper, on which the present measure was supposed to be taken. He said, he thought it was perfectly justifiable, and was willing to

share in the consequences. Yet he could not see how it was fair in argument to charge administration here with specific measures taken in Ireland; nor could he conceive, either positively or by implication, that he or his colleagues in office, were bound in any manner by what passed in another kingdom. To some allusions made by Mr. Dunning and Mr. Gordon, relative to the Hanoverians being sent to Gibraltar and Minorca, and the fate of the indemnity bill, he replied, he thought the measure perfectly legal, and was ready to meet his adversaries on that ground whenever they thought fit. He gave a history of the indemnity bill, and in a humorous way proved it was thrown out by a noble marquis in the other house. If introducing foreign troops were an improper measure, the minister in Ireland acted perfectly right, for he declined to support it; he finished with observations on the German resources, and the poverty of the civil list.

Lord John Cavendish rose to give his attestation of the personal worth of Lord Harcourt. He observed, that his lordship had been little acquainted with public business till his late appointment; therefore, if it were his own measure, he was much the more excusable; but he believed it was not. However, if it were not, as the Irish nation had been too wise and too spirited to accept of one part of the proposal; and as ministers, whatever they might affect to the contrary, had not dared to send a single man out of Ireland on such an authority, the matter hardly deserved the time and attention some gentlemen seemed willing to bestow on it. The people of Ireland had already done half the business, by refusing the offer; the minister had in fact done the other half from his own fear; so that on the whole, he did not desire to send the matter to a committee, but wished to come to some decisive resolution, which would condemn the whole transaction, without any particular reference or application to those, who might be supposed to have first planned, or endeavoured to carry it into execution.

Lord George Germaine contended that whatever might have been the sense of the message, his majesty's servants could not be supposed to be strictly answerable for its contents. He said, Lord Harcourt might have mistaken, or exceeded his instructions. He did not know he had. Or he might have conveyed his meaning in the clearest terms: whether he did, or did not, the first part of the message only proposed a matter to the consideration of the Irish parliament, clearly and legally within the constitutional exercise of the regal power. If his majesty had not given his royal promise to keep 12,000 men within

within the kingdom, he might have ordered the whole, or any part of the troops on that establishment, to any part of the British dominions he pleased, without applying to the parliament of either kingdom. He said, he had heard a great deal of what had passed in debate in the House of Commons of Ireland, but he could not perceive what direct relation it bore to what now was under consideration. The efficient minister, as he was called, was likewise much spoken of; Sir John Blacquiere said this, and Sir John Blacquiere said that; but for his part, what Sir John Blacquiere said one way or the other, was of no great consequence. He knew a Sir John Blacquiere, and had been in conversation with him; but in what way what he said could be made a ground of censure on a British minister, was more than he could reconcile to the relation they really stood in to each other, if they stood in any. He confessed, the measure of paying for 8000 men, when we were to have the service but of 4000, was extremely unœconomical, and he thought very improper: yet if 4000 men could be had upon no better terms, and that it was supposed it might be more proper to send natives than foreigners to America, the measure on that account, and that alone, might be defended.

Lord Irnham. As I am just returned from Ireland, where I have attended closely to the proceedings of that parliament, it may be expected from me to say something on the present question. I shall therefore endeavour to shew the house, whether the honorable gentleman now in my eye, (Mr. Conolly), and a member of that parliament, as well as of this, has given you a true account of the conduct of government there relative to the matter now before you; or whether the representation of it by the gentlemen who oppose the right honorable member's motion, ought most to be relied on. The doubt to be cleared up is, what was really the meaning of government there in the message sent to both houses of parliament? The words of the message have been already read to you, and it has been very ingeniously, though somewhat variously explained by the gentlemen of the treasury-bench: but the lord lieutenant's secretary, (who as a noble lord on that bench, and other gentlemen who heard him, and as well as his lordship, have held that office, well know, is always considered as the minister in the Irish House of Commons), clearly expressed and interpreted the meaning of it; which was, that the Irish parliament should consent to the introducing into the country 4000 foreign Protestants, in consideration of which, they should assure his majesty of their readiness to spare 4000 men of the troops on the Irish establishment for the

service of America, to be likewise paid by Great Britain; and it was expatiated upon by him, and all those who spoke on the side of government, how advantageous such an offer must be, which provided equally for the safety of Ireland, as if their own troops had remained in it, and would moreover bring 80,000*l.* of English money into the kingdom. The speech was answered by addresses from both houses—that of the lords immediately to the king; that of the commons to the lord lieutenant; in substance the same as returning thanks for the offer, but refusing the introduction of the foreign troops, proving that they chose to defend their country, even in its present precarious situation, by the exertion of their own efforts, rather than to adopt so unconstitutional and dangerous a measure; which sentiment of theirs certainly did them honor: but at the same time they consented by address, to send to America the 4000 additional troops requested of them, both houses understanding, however, (as it is well known) that an act should be passed to legalize the terms of the said address, as the crown had precluded itself by act of parliament from the right of sending more than about 3000 men out of that kingdom, which number it had already exceeded. A bill was accordingly brought in, wherein were inserted two clauses calculated to effect that purpose; but to the astonishment of the public, those causes were thrown out in England: and an act was again passed, barring the crown from the power of sending any more troops abroad than would leave 12,000 men on the establishment for the defence of Ireland, and consequently the effect of the addresses of both houses was thereby destroyed, whilst at that very time government declared its resolution to send those 4000 men to America, in conformity to the addresses of both houses, and signified, that they did not consider the crown as bound by the act, to which the royal assent has just been given, to keep 12,000 men in that kingdom, under pretence of its not being in the enacting part, though in the preamble of the act: but whoever reads it, will find that compact not only in the preamble, but also so strictly tied to that part of the act which grants the subsidy, (being about 450,000*l.*) that if the crown be not bound thereby, above two-thirds of the concessions from the crown to the subject by act of parliament since Magna Charta, will fall to the ground, and the crown has forfeited its right to those subsidies. I remember upon this being hinted at by some members of the Irish parliament, too sanguine for government, the law servants of the crown (men of great abilities), avoided the question on that ground. As to the present lord lieutenant of Ireland,

land, of whom many handsome things have been said by gentlemen on both sides of the house, those qualities mentioned, are, I apprehend, relative only to his private character, which merely as such, has, I think, good ingredients in it: but we don't fit here to discuss private characters; his ministerial and public one is what we are to consider, and I will speak out—the talents and abilities of that minister of the crown are by no means equal to his station. Two millions and a half of people is a trust of too great weight for him to sustain; and he has sufficiently avowed his incapacity to govern them, by delegating all his power to his secretary. To conclude, the measures pursuing there being illegal, must displease the best and soundest part of his majesty's subjects; and though for certain purposes the ministry have this day spoken very advantageously of Ireland, if they go on in acting as they do, they will meet with the united efforts of that country in opposition to their attempts; and then, instead of panegyric, they will call out to this house for restraining and incapacitating bills, to punish that kingdom, as they have done America. Let me therefore recommend to the noble lord now at the helm, to attend whilst it is time, to that alarmed part of his majesty's most affectionate subjects, and to forgive me if I heartily intreat him to apply his utmost care to rectify the errors of government in that kingdom. In the present case now before us, the conduct of administration, relative to the message from Lord Harcourt to the Irish parliament, has been unconstitutional and highly blameable. I am therefore to thank the right honorable gentleman for the motion, and to express my hearty concurrence in it.

Mr. Fox observed, that as the administration of both kingdoms were totally unconnected, so was every individual who composed them. No two of the confidential servants of the crown who spoke agreed in a single sentiment. Some allowed the message to import what was stated in the complaint; others acceded to a part of it, it manifestly intended: but in this diversity of opinion, there was one thing too curious to pass unnoticed, that was the language used by two or three members of administration, which was describing the minister of the House of Commons in Ireland, and the speaker, under the undefined terms of one Edmond Sexton Perry, and one Sir John Blacquiere.

Mr. Attorney General said, the motion was a party squib, not worth attending to; and that the preamble to an Irish act of parliament did not bind the parliament of Great Britain.

Governor

Governor Johnson said, the ministers here throw all the blame upon the ministers in Ireland.

Lord North gave a great encomium of the administration of Ireland since the appointment of the present lord lieutenant; observing, that no better proof could be given of it, than that it was attended with uncommon success.

Mr. Conolly observed, it was no wonder the government of that kingdom should be attended with success, when 265,000*l.* had been raised on a ruined impoverished country. (Here he was proceeding to shew how unable the Irish were to bear such a burthen; and to give a detail of the pensions that had been lately granted, the places that had been newly created, and the various means that had been employed to influence and corrupt the representatives of the people, when he was interrupted by Lord North, as applying to matters not at all relating to the subject of the debate.)

Mr. Fox insisted, that the matter stated by his honorable relation was perfectly within order; that it grew directly out of the subject of debate; and that if his lordship appealed to the success of administration in Ireland, as a proof of the wisdom or mildness of the government there, it was no less fair in argument, than consonant to order, to shew the true causes of that boasted success. (Here the altercation was put an end to, by the question being called for.) The question was put on Mr. Townshend's motion for a committee. The house divided; for the motion 106, against it 224.

No. LXIX. a.

*" An Address from the Belfast First Volunteer Company, to the Officers and
 " Privates of the several Companies to be reviewed at Belfast, 31st of
 " July, 1782. (P. 629).*

" GENTLEMEN,
 " FROM a conviction that the present is a critical mo-
 " ment for Ireland, inasmuch as we conceive that the question whether we
 " shall be free or an enslaved people depends on it; we humbly presume that
 " an address, induced by the purest motives, will not be held presumptuous,
 " and that every reasonable allowance will be made for us by the liberality of
 " our fellow subjects and foldiers, the volunteers of Ulster.

" The

“ The struggles which this loyal nation has lately made toward casting off
 “ the usurpation of a country which cannot justly claim a single right to
 “ which Ireland is not by charter, justice, and nature, equally entitled, have
 “ excited the admiration of every state in Europe. But at this period of Irish
 “ virtue, were we contentedly to sit down with any thing short of complete
 “ freedom, we should render ourselves odious to millions yet unborn, who
 “ would tax us with having meanly sold an opportunity of rescuing the land
 “ from the yoke of slavery at such an æra as the revolution of centuries may
 “ not again produce.

“ The designs of ambitious men may for a time mislead, but cannot long
 “ delude a people of that sound plain understanding by which even the infe-
 “ rior classes of the men of Ulster have ever been distinguished. With such
 “ men, simple ungarnished truths, level to every capacity, must have their
 “ weight, and will, it is presumed, rouse them to a sense of the dignity and
 “ independence of their nation.

“ The intention of this address is with all humility to impress the following
 “ great and serious truths:—That the rights of this kingdom are not yet
 “ secured, nor even acknowledged by Britain, partly owing to the delu-
 “ sions of many sincere friends, to the perfidy of pretended ones, and to an
 “ error committed through precipitancy by our representatives in the senate.
 “ That unless a spark of that sacred flame, which but a few days ago glowed
 “ in every breast in Ulster, be again excited; the glorious attempt of this
 “ country to procure its emancipation, instead of producing any real perma-
 “ nent good, will too probably be the means of depriving us of our rights
 “ for ever.

“ Let us then trace the growth and progress of our late spirit, and let the
 “ claims asserted at Dungannon, on the 15th of February, be the ground-
 “ work of our enquiry.

“ The spirit of that great day's proceedings, which was re-echoed from
 “ every quarter, may easily be collected from the following quotations:—
 “ Your representatives there assembled, declared, ‘ That a claim of any
 ‘ body of men other than the king, lords, and commons of Ireland, to make
 ‘ laws to bind this kingdom, is unconstitutional and a grievance.

‘ That the ports of this kingdom are by right open to all foreign countries
 ‘ not at war with the king; and that any burden thereupon, or obstruction
 “ thereto,

‘ thereto, save only by the parliament of Ireland, is unconstitutional and a grievance.’

“ A moment’s reflection will shew, that the first of these two resolves clearly applies to a denial of the pretended right of Britain to internal legislation for this country ; and the latter resolve as decidedly determines with respect to external legislation, as our right to a freedom of commerce is its very soul and basis.

“ If it appear that these demands of Ireland, which arose from your own act, and from which you cannot recede without drawing down eternal dishonour on your posterity, have completely and without equivocation been acceded to, then the present discontents and jealousies are groundless and should cease ; but if a candid disquisition evinces the contrary, the voice of Ireland should again be raised, and rather than the pride of a sister (in an honorable connection with whom we will ever glory) should trample on the dearest rights of our nature, we should meet our danger like men deserving to be free, and by acting with the boldness of conscious virtue and true dignity, we would probably secure for ages the interest, peace, and affections of the two kingdoms.

“ Our Houses of Lords and Commons, forced into the temporary practice of virtue by the demands of an armed people, complained of the British Declaratory Law of 6th of George I. and of the powers, as the lords said, and of the claims of it, according to the commons.

“ Every one must recollect in what manner demands, on the accuracy of which the settlement of the rights of three millions depend, was precipitated. Imperfect, however, as they were, their general tenor went to demand an eternal renouncement of all power of legislation for this country, however marked by the futile, groundless, and insidious distinction of external and internal.

“ In the address of our commons to the king, we find the following animated expressions to this point :

“ There is no body of men competent to make laws to bind this kingdom except the king, lords, and commons of Ireland ; nor any other parliament which hath any authority or power of any sort whatsoever in this country, save only the parliament of Ireland. To assure his majesty, that we humbly conceive that in this right the very essence of our liberties exists ;

“ exists a right which we, on the part of the people of Ireland, do claim as
 “ their birth right, and which we cannot yield but with our lives.”

“ Let us examine how this claim, so solemnly advanced by the representa-
 “ tives of a nation, was received, and what effects it produced on our repent-
 “ ing sifter.”

“ Mr. Fox, a man of the first abilities in Europe, who was the ostensible
 “ minister of that day, moved for a repeal of the 6th of George the First in
 “ the British House of Commons, a repeal which has since drawn such floods
 “ of gratitude and ill-timed applause from the open, sincere, unsuspecting
 “ hearts of Irishmen. In a speech in which his great abilities were fully
 “ employed, introductory of the Irish business to the parliament and people
 “ of Great Britain, a business of which he was the avowed patron, in the
 “ very same breath, with which he urged the justice of our demands, asserted,
 “ that he always made a distinction between internal and external legislation,
 “ and though it would be tyranny to attempt to enforce the former in coun-
 “ tries not represented in the British parliament, yet he was clear that the
 “ latter was in reason and policy annexed to the British legislature.’ A little
 “ after he presents a just though dreadful view of that very species of usur-
 “ pation which he dignified by giving it the air of a right, though he little
 “ intends that it should be seen in so clear a light as it has been by every
 “ thinking man in this country:—His words are ‘ but fatally for this country
 “ this power of external legislation had been employed against Ireland as an
 “ instrument of oppression to establish an impolitic monopoly in trade, to en-
 “ rich one country at the expence of the other.’ Could a more striking il-
 “ lustration of the abominable state of subjection to which we were according
 “ to his assertion reduced, and still are subject, be given? This picture drawn
 “ in a British House of Commons, exhibits a nation deprived of even the
 “ shadow of constitution, and consequently its dearest interests lying at the
 “ mercy or rather caprice of a neighbouring nation; of a nation whose po-
 “ licy it had ever been to check and destroy in the bud, every prospect of
 “ gain and commercial advantage, which did not directly tend to her own
 “ opulence or did not gratify her own lust for power.

“ We might defy the most descriptive pen to delineate the features of the
 “ most abject slavery with more truth and accuracy.

“ We do not mean to tax the then premier with any misconduct as a Bri-
 “ tish minister, as we cannot but suppose he fairly represented the sentiment

“ of the cabinet; the sentiment of an administration uncommonly popular,
“ and of the bulk of the British nation; for we are well aware that a man
“ situated as he was, durst not, as premier, utter a sentiment not according
“ with that of his colleagues; also that his chance for remaining long in
“ office depended on his acting up to, and holding such language as, con-
“ sidering the circumstances of the times, would be most pleasing to the coun-
“ try to which he belonged. Mr. T. Pitt, who seconded the motion of Mr.
“ Fox, further advanced, ‘ that he knew no difference between internal and
“ external legislation, and that he would not, to his last breath, think other-
“ wise. Lord Beauchamp was the only man who contended against the claim
“ of externally legislating for us, and who foresaw that any thing short of a
“ relinquishment of that claim as well as the other, could not be satisfactory
“ to this country. A few days after the minister said, that the first men of
“ Ireland were content with a repeal alone. In that shape the law passed,
“ and we were persuaded in the second address to admit the idea, not indeed
“ of a simple repeal but a repeal without stipulation or condition, and which
“ might have been full and sufficient if properly worded.

“ We have, from these circumstances, every presumptive evidence, that it
“ never was the intention of Britain or of British ministers to relinquish the
“ right, and that their favour extended no farther than to a suspension of its
“ exercise, which in her then debilitated state she could not enforce.

“ We have here avoided mentioning the very cogent reasons advanced by
“ the Right Honorable H. Flood, and the great view he has opened of the
“ question to the kingdom at large: we must, however, pay him that tribute
“ of praise, that no man yet has been hardy enough (save Mr. Dobbs) to meet
“ him on that subject, either in parliament or in the public prints. As to
“ that gentleman’s impregnable ‘ fortress, founded on a rock,’ we presume it
“ could be taken without much difficulty: but as it is purposely erected to
“ withstand the abilities of the greatest man, and perhaps the most profound
“ constitutional historian in the British empire, we shall not here presume to
“ attack it.

“ It is very foreign from our intention to attempt to open new grounds of
“ controversy with England; but we ardently wish, and will never cease to
“ hope, that the people of this kingdom will, by perseverance and an exertion
“ of spirit, bounded by loyalty to our prince and a love of the British consti-
“ tution, according to its purest principles, very speedily obtain the wishes
“ expressed

“ expressed by its inhabitants in every capacity, and by the addresses of its
 “ own parliament to its sovereign. As to volunteers, it is evident that their
 “ honor is bound by the determination of their first and only glorious meet-
 “ ings in their different provinces, and that they cannot retract without ig-
 “ nominy and contempt. Let a reflection on the miraculous effects your
 “ own spirit, displayed at one of your Dungannon meetings, produced on all
 “ descriptions of men, as well the courtier as the timid friend, teach you that
 “ even unanimity among ourselves, as well as a lasting and happy connection
 “ between the two contending parties, can only be obtained by again speak-
 “ ing out with that spirit, which characterized Irishmen on the 15th of Fe-
 “ bruary, 1782, and which rendered it a day that will make an eminent figure
 “ in the annals of the empire.

“ Recollect that Ulster led the way, that the other provinces followed the
 “ great example with redoubled vigor, and that we cannot doubt they will
 “ do so again; that discontents against men and measures are gone forth,
 “ and are hourly encreasing; that the first meeting of Ulster is equally the
 “ pride of every man in Ireland; and the last one pretty generally reprobated
 “ as premature, ill-judged, and not conveying the sense of the constituent
 “ body. Such reflections will convince every impartial man, that a speedy
 “ meeting on the hill of Dungannon, (the delegates being previously in-
 “ structed by the people, in whom only true spirit exists, and taught only to
 “ echo their sentiment) can alone, in the present mutilated state of our affairs,
 “ so lately promising every blessing, give us the chance of a free constitution.
 “ Do not forget that Connaught has, in her address to his majesty, laid
 “ down, in the most pointed terms that language could convey, the very
 “ principle which we here endeavour to establish and maintain; where she
 “ informs his majesty, that a revival of the claims, either of external or in-
 “ ternal legislation, would for ever sever the two countries.

“ If you follow her steps in that point, what can possibly be dreaded? You
 “ will at that instant, with her, compose a large majority of the armed force
 “ of Ireland: and no man who has not sinister, dishonest views, can pretend
 “ to allege that perfect unanimity would not prevail over the whole king-
 “ dom, as it did when there was much less chance or expectation of it.

“ The British legislature in claiming a right to external legislation for this
 “ country, assumes an absolute control over our commerce and foreign trade;
 “ and consequently can, if we admit her claim, prevent us from forming

“ any commercial connection with any nation on the globe, however well
 “ calculated our produce or manufactures may be to serve such nation.
 “ When such a preposterous claim is made, will any man, in his right reason,
 “ say that this is enjoying equal liberty; or that we have, under such base
 “ restraint, received what Britain was pleased to term a free trade, when the
 “ moment of her depriving us of a commerce, even with foreign nations, de-
 “ pends merely on her own caprice, or her own interest?

“ Slavery cannot be of a deeper complexion!

“ It may be alleged, that this is the price we pay for the protection of
 “ the British flag. But let us not deceive ourselves. Ireland is, and ever
 “ was, one of the best pillars of the empire, and contributes more to the ag-
 “ grandizement of Britain than any other country she is connected with.
 “ But independently of this circumstance, will any man, not enamoured with
 “ the horrors of bondage, dare to assert that the loss of civil liberty should be
 “ the price of any protection whatever!

“ We take the liberty of submitting three resolutions to your deliberation,
 “ which we will move through our delegate the day after the Belfast review,
 “ when addresses to the reviewing general will be moved for.

“ Previous to that day, we hope, you will instruct your delegate, which
 “ will attend the meeting, whether you chuse that he should give your assent
 “ or dissent to them.

“ *1st Resolve*, That a Dungannon meeting be held on the — day of —
 “ for the purpose of considering whether any, and which of the demands of
 “ the province of Ulster of the 15th of February, 1782, have not yet been
 “ complied with. If any are found not yet complied with, prudent mea-
 “ sures may be adopted for obtaining them, as also for obtaining an Irish
 “ statute, declaring that the sole right of both external and internal legisla-
 “ tion is vested in our own parliament, and in no other, as its receiving the
 “ assent of a prince, in whom the two crowns are united would be held a
 “ strong security, and would administer general satisfaction.

“ *2d Resolve*, That it is not the sense of this meeting that a simple repeal
 “ of the 6th of George I. can be accepted as a sufficient renunciation of the
 “ claim of external and internal legislation formerly exercised over this
 “ country.

“ *3d Resolve*, In order to guard against an undue use of delegated power,
 “ that it be held a general principle, that no resolutions or addresses, which
 “ may

“ may be adopted at any future assemblies of delegates, can be considered as
 “ being the resolutions and addresses of such volunteer companies, until the
 “ chairman shall have transmitted copies of their proceedings to all the com-
 “ panies for whom delegates appeared, each of which corps shall deliberate
 “ collectively upon such proceedings, and return to the chairman on or before
 “ a limited day, their several approbations or disapprobations of each resolu-
 “ tion and of each address. That as soon as it has been ascertained, which
 “ resolutions and which addresses are agreeable to the majority, then, and not
 “ before, such resolutions shall be held binding to the constituent body, and
 “ the addresses shall then be presented or transmitted. That such chairman
 “ shall, in the public prints of the province, publish such assents or dissents of
 “ corps to each resolution and each address.

“ We have the honor to be,
 “ Gentlemen,
 “ Your fellow subjects and soldiers.
 “ (Signed by order of the Company) WADDELL CUNNINGHAM.
 “ *Belfast, July 18, 1782.*

No. LXX. a.

Letter from Mr. Francis Dobbs to Lord North. (P. 488.)

MY LORD,
 FROM what has fallen from your lordship in regard to
 Ireland, I conceive you are greatly misinformed, as to the ideas of the people
 at large. It is of the utmost consequence, in such a moment as this, that our
 sentiments should not be misunderstood. If they are, apparent satisfaction
 may conceal real jealousy and distrust; the bane of friendship in nations, as
 well as in men.

Your lordship dwells on the address of our parliament being a petition for
 indulgence, not a demand of rights. My lord, I conceive that address was
 to the King of Ireland, without whose approbation our laws cannot be altered
 or enlarged. If your lordship conceives that it was a supplication to the
 parliament of Great Britain, I apprehend you are mistaken. When the par-
 liament of Ireland addressed their king, and told him that nothing but a free

trade could save their country, they could not, I am persuaded they did not, forget why Ireland had not a free trade; they could not forget that Ireland was bound by British acts of parliament.

But, my lord, should it even be possible that our parliament could forget the great question of right, it cannot be forgot by the people; they know it, and will remember it. As one of that people, I deem it essential to freedom, and think myself justified as a man entitled to be free, to publicly argue for my own and my countrymen's rights. The investigation of truth cannot be improper. In this instance, I am convinced that the surest mode of promoting the welfare of both kingdoms, is to have our connexion fully explained and perfectly understood.

As an Irishman, give me leave to express my obligations to your lordship, for the kind intentions which you have manifested to my country; I do not even believe my countrymen want more than it is your wish to give. But, my lord, they want it in a different mode; they want what they have a right to, separated from the bounty of England. It shall therefore be the object of this letter to point out my own, and what I apprehend to be their reasons, for wishing for such a distinction.

At first, my lord, your propositions, which have now in part become a law, gave pretty general satisfaction. Men hitherto restrained in almost every branch, naturally rejoiced at the first view of an extended commerce; but when reason had investigated the principles, on which that extension was given; when it was found to be a matter of expediency, not of right; when it was perceived that it rather established than relinquished the power of British legislation over Ireland,* our transports sunk into a very moderate degree of pleasure; and even that pleasure was lessened by the precariousness of enjoyment.

My lord, we claim to be a kingdom, with every right belonging to a kingdom; governed by our own legislature, the king, lords, and commons of Ireland. We complain of the British legislature making laws to bind Ireland. We alledge it is without right, and we require that the legislature of Great Britain should relinquish a claim that we say they are not entitled to, and that they should obliterate the name of Ireland from their statutes.

This is a short creed, but like all creeds admits of much explanation; let

* The act of parliament lately made, only repeals part of the English acts binding Ireland.

us fairly discuss it; the examination will be no impeachment even to your lordship's abilities, though it should oblige you to correspond with a man so much your inferior in rank and understanding. If my ideas, if the ideas of my countrymen are unjust and unreasonable, we are surely entitled to an explanation why they are so. If they are just and reasonable, they should be complied with. If they are just and reasonable, and not complied with, we have a right to do ourselves justice, if ever we have the power.

Here, my lord, I shall beg leave to ask two questions: Is the kingdom of Ireland considered by the legislature of Great Britain as a conquered nation? If not, is Ireland considered as a free kingdom, united with England by long usage, similitude of manners, vicinage and a common king?

If we are deemed a conquered nation, and as such to hold every thing we possess at the will of the English, our conquerors; if we are in all things subject to their caprice; still, my lord, there is one right that I apprehend cannot be taken from us: It is a right I almost blush to mention; it is the right of the vanquished; the right of regaining our freedom, whenever we are able to throw off your yoke. If you say, as I trust you will, that we are a free people, you must allow us those rights which are indispensably necessary to the very existence of freedom; and if on enquiry it should be found that Ireland has not such rights, because Great Britain has exerted an arbitrary power to which she was not entitled, Great Britain must either relinquish such an evasion of our rights, or support it, as she made it---by power.

What, my lord, constitutes the freedom of a people? What is the boasted freedom of a subject of Great Britain? Is it not, that he is governed by laws to which he has assented either by himself or his representative? Is it not that he cannot be bound by laws that do not affect those who make them, as well as himself? What, my lord, is the definition of a slave? Is it not where a man is bound by laws, to which he never assented, and lies at the mercy of a power, over which he has no controul? Weigh these two definitions, and tell me what is Ireland?

Great Britain's repealing part of those laws by which I apprehend she has unjustly bound Ireland, is no satisfaction, nor are we less enslaved. In fact, your propositions, and the law founded upon them, establishes that power, which I, and I believe my countrymen deny. The word expedient conveys a thousand things repugnant to the rights of Ireland. It may hereafter be deemed expedient to revoke the very indulgences you now find it expedient

to grant. It may be expedient to dissolve our parliament, and never call another; it may be expedient to tax Ireland by a British act of parliament, and enforce it by a British armament; where shall we set bounds to expediency, and how can its limits be ascertained? But, my lord, I will venture to assert, and I now call on your lordship to refute it if you can, that Ireland is not free, whilst England has the power of binding Ireland by British acts of parliament. I will venture to assert, we are not less slaves, though British legislation never found it expedient to exert the power it claims; the most absolute monarch on earth may make his subjects happy, but whilst he has the means of making them miserable, they are not, they cannot be free.

The Irish for a long time remained in ignorance as to their situation; those amongst them who perceived it, thought it would be cruel to shew them rights, without a possibility of their obtaining them. Particular circumstances have led them to particular enquiries. Enquiry has made them acquainted with their situation; and it is, my lord, the characteristic of my countrymen to be impatient under their wrongs, which they feel and understand.

I do not deceive you when I say, that this reasoning is very general amongst Irishmen. I do not deceive you when I say, we are attached to England, and seek a connexion with her, in preference to the rest of mankind. But, my lord, our first attachment is to freedom, and every other is a secondary consideration. To be in possession of freedom, we must know what is our right. As to favors, we ought, and I am persuaded are willing to give an equivalent. But, my lord, we wish to have the line between rights and favors ascertained; the blending them together, if possible, we are determined to avoid.

My lord, we conceive that we are a free people, and as such entitled to a free trade. We admit your right to shut your ports against us, but we claim a similar power as to you. If we are as free as England this must be the case; if we are not, we are surely entitled to the reasons why we are not so. We surely have a right to know why we are excluded from the undoubted privileges of a free people. Can your lordship blame us if we deem it necessary to know how we stand in point of right, in regard to Great Britain? We cannot build on a sure foundation, or expect a lasting fabric, till this is ascertained.

Your lordship says the Irish parliament is to do certain things, in consequence

quence of English resolutions. How, my lord, can this be? How can England treat with Ireland, until the English parliament relinquishes her claim of binding Ireland in all cases whatsoever? Is it not, my lord, absurd? Is it not a contradiction in terms, that an English parliament should enter into a treaty with an Irish, if an Irish parliament is to be subject to the will of an English: and if an English act can bind Ireland in all cases whatsoever.

I am aware it will be said, that this overture from an English to an Irish parliament, tacitly admits that an English parliament has not a right to bind Ireland. Why tacitly? If England means to give up this claim, why not openly? The doing so would give confidence here. If on the other hand it should be meant to deceive, to mislead by the natural idea that must arise from the one parliament treating with the other, I will not hesitate in proclaiming it a mean subterfuge—a low cunning—unworthy of a man—unworthy of a nation.

In consequence of your lordship's propositions, I will suppose wealth pouring into this kingdom from every quarter. Here, my lord, I will again ask a question: What security have we for wealth so acquired? If you have a right to bind us in all cases whatsoever, you must have a right to tax us. If you have a right to tax us one shilling, you have a right to twenty in the pound; and had we the wealth of the Indies, whilst you claim that power, and have force to execute it, we are but a treasury, filled for the use of Great Britain. In absolute governments, wealth and danger go hand in hand, and poverty is happiness. If individuals grow rich they dare not enjoy their wealth, and are careful to conceal it. Their lives are often forfeited for supposed offences, to give a color to the seizing of their acquisitions. The same reasoning will hold in this instance. If, whilst poor, you claim absolute power over us, by what chain of reasoning are we to suppose you will relinquish it, should we become rich? It makes no difference that this power is vested in the legislature of Great Britain, and not in a single hand. Absolute power in one or in many is the same. Its effect is equally destructive to the happiness of a state or individual.

I have frequently observed, my lord, when the subject of Irish rights has been broached, that the distressed situation of England has been introduced; that England has been represented as a nation sunk in debt, and overwhelmed with difficulties. If it be so, I am, and I am persuaded my countrymen are sorry for it. But, my lord, as an Irishman, I cannot conceive that I am
to

to be a slave, because England has been imprudent or unfortunate. I cannot conceive if England was sinking, that Ireland is bound in any way, to go to the bottom with England. We are called sister kingdoms, but if we were married, there is but one country* that I have heard of, where the wife sacrifices herself on the funeral pile of the husband, and I trust Ireland is not inclined to follow so singular an example.

Be the situation of England what it may, what has Ireland to say to it? Have we ever exposed you to war? Have we encreased your taxes? Have we been the cause of a single misfortune? If your fleets have protected us, who occasioned our wanting that protection? Have we not contributed both with our blood and treasure in support of your quarrels, without sharing in your conquests? Are we not indebted, from our connexion with you, beyond our ability to pay?

My lord, I will go so far as to say, if the ruin of England was to follow justice to Ireland, yet still we are entitled to that justice. The question must still resort to first principles, and Irishmen cannot, ought not to have a confidence in Great Britain, till those principles are fully ascertained.

It is said, my lord, that we have long acquiesced under this claim. For argument sake I will grant it. England herself has been obliged in particular times to submit to the most severe exertions of arbitrary power, but it has been the most distinguished feature in the character of your countrymen, to watch for and seize the moment in which they had the prospect of regaining their freedom. Witness your barons compelling the infamous John to grant them Magna Charta. Witness the decapitation of the misinformed and unfortunate Charles. And witness the glorious revolution, by which the present king of England—of Ireland, is intitled to his crown. Will your lordship then, or your countrymen, be so unjust as to say, we ought to acquiesce in a claim, because we have not hitherto had power to oppose it. Will you assert if at first the claim was unjust, it has changed its nature from the inattention or impotence of Ireland?

Strange arguments, however, sometimes suggest themselves. I have heard it argued, my lord, that the king of Ireland, residing in Great Britain, gives a right to supremacy there. To this there is a short and conclusive question; one, my lord, that I borrow from the elegant and well-informed Guatimozin

* A country in Asia, where the bodies of the dead are burned, and the wife is placed on the funeral pile of the husband.

—Had the king of Great Britain been in reality, what he is nominally, king of France; had he held his court at Paris; would Great Britain have allowed the king of Great Britain, in conjunction with the parliaments of France, to bind them in all cases whatsoever? Apply this, my lord, to the subject of this letter, and answer the question as you please.

In all connexions between free kingdoms advantages must be reciprocal. It must be the interest of both to preserve the connexion; or that kingdom who finds herself hurt by the alliance, will infallibly quit it the moment it is in her power. Interest is the grand spring of action even amongst men, though a few individuals may gloriously deviate from it; but between nations it is, it must be the ruling principle.

My lord, it is my wish, and I hope and believe it is the wish of every good man in this kingdom, to form an alliance with Great Britain, which nothing can disturb. I conceive this can only be done by a fair and candid enquiry into the natural rights of each kingdom. If Great Britain treats with Ireland under the idea of giving as little as she can, and that little from necessity, Ireland can neither be thankful nor satisfied. You yourselves will say that Ireland, from particular situation, has got more than you intended for her; and when that situation ceases, you will naturally endeavour to recal what you have so granted. On the other hand, Ireland looking for an establishment of rights, cannot conceive herself obliged by what is given from expediency. Whilst the great question of right remains unascertained, mutual jealousies and distrusts must affect the peace of both kingdoms. Irishmen cannot seriously wish the prosperity of a country which they conceive to be oppressing them; and England cannot be cordially our well-wisher, whilst she considers us as a people she has wronged; as a people she must suppose anxious for an opportunity of procuring justice.

It may be said, that finding fault is easy, but that it will be difficult to point out a mode of relief more satisfactory than the one your lordship has adopted; I shall, therefore, in a few words, lay down what I believe would be satisfactory to my countrymen; what I know would be satisfactory to my countrymen; what I know would be satisfactory to myself.

Let England declare she has no right to bind Ireland by British acts of parliament, and entirely repeal all laws hitherto made for that purpose. It has been my endeavour to prove that England in doing this, would only do justice; suppose it done, Ireland would have a right to trade with all the world, but
all

all the world would also have a right of choosing upon what terms, and in what instances, they would enter into commercial alliances with Ireland; Great Britain of course would have a right to say, you shall not trade with us, but on such conditions as we shall think proper to require. The colonies would have the same right; and at this moment Ireland would have less than what your propositions, and the law founded, and to be founded on them, would give us; but then, my lord, the matter of right would be adjusted; whatever wealth we acquired would be the wealth of freemen, and could not be taken from us but by our own legislature; then that frightful spirit raised in the reign of George the First would be laid, and the fears and apprehensions of Irishmen, with the Ghost, would vanish.*

If, my lord, we are admitted to trade with Great Britain and her colonies, I, as an Irishman, think we should make a suitable return. If your fleets protect us, protect our trade, I think we ought in proportion to that protection, in proportion to that trade, contribute to their support. These, my lord, in my humble apprehension, ought to be the subjects of treaty between the two legislatures; then rights and favors would be distinct; a distinction which must give universal satisfaction here. If Great Britain really means to give us a permanent Free Trade, what can be her objection to being fully explicit. My lord, the consequence would be, that industry would diffuse her blessings over this heretofore devoted land; then, my lord, the merchant would plow the ocean, and the farmer his land with satisfaction and security; then Ireland would become the cheerful and powerful supporter of Great Britain.

My lord, I cannot expect you will take either my word or opinion for the sentiments of my countrymen; but, my lord, it is surely worth your lordship's attention to enquire how far I am right in my opinion; if by that enquiry, you find that the people of Ireland, almost to a man, deny the right in a British parliament to bind them; if you find that they acknowledge no power on earth but their king, lords, and commons; and will not, if they can help it, pay obedience to the laws of any other; I submit it to your lordship, whether it would be wise in the British legislature to voluntarily declare the statute of 6 George I. c. 5. no longer in force, so far as relates to Ireland, and that it was made on the mistaken idea, that England had a right

* The law declaring a right to bind Ireland in all in cases whatsoever.

to bind Ireland. This, my lord, would heal every diffension, would banish every jealous idea from our minds.

Many other things relative to Ireland croud upon my imagination, but as they are in general things that ought to be looked to at home, and as I wish to confine myself to the one great question, I shall not longer intrude on your lordship.

In the course of this letter I have endeavour to steer clear of the least offence to your lordship. I have endeavoured to argue without passion or prejudice, and I trust I have in some degree succeeded.

I feel the fullest conviction, that an explanation of the matter of right is essential to the welfare and prosperity of both kingdoms, and it is from that conviction I have thus ventured to address your lordship.

I am, with great respect,

Your Lordship's

Most humble servant,

FRANCIS DOBBS.

1st January, 1780.

END OF APPENDIX TO VOL. I.

* 6 A

C. Roworth, Printer,
Bell Yard, Fleet Street.

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